



Sh Bhupinder Singh, S/o Sh Raghbir Singh,
R/o Village Malluduara, P.O Khokhar Faujia,
Tehils Batala, Distt Gurdaspur.

... Appellant

Versus

Public Information Officer,
O/o IGP, Commando,
Bahadurgarh, Distt Patiala.

...Respondent

Complaint Case No. 831 of 2019

PRESENT: Sh.Bhupinder Singh as the Complainant on W/S Video
Sh.Sanjev Kumar, DSP for the Respondent

ORDER:

The complainant through RTI application dated 30.05.2019 has sought information regarding action taken on FIR No.98 dated 04.11.2013 and FIR No.2 dated 05.03.2019 and other information concerning the office of IGP, Commando, Bahadurgarh, Distt Patiala.. The complainant was not satisfied with the reply of the PIO dated 04.07.2019 stating that the information cannot be provided since the enquiry is pending, after which the complainant filed a complaint in the Commission on 17.09.2019.

The case was last heard on 07.01.2020. The complainant claimed that the PIO has not provided the information. The respondent present pleaded that the complainant had earlier filed a complaint against Sh.Balwinder Singh regarding his birth certificate which was got verified from the Education Board and found in order. Respondent further informed that since the enquiry regarding FIR No.98 was pending, the information was not provided.

Hearing dated 28.05.2020:

The respondent present informed that since the case of Sh.Balwinder Singh, No.1-C/657 is pending for enquiry, the information cannot be provided and the complainant has already been replied vide letter dated 04.07.2019.

Having gone through the record, the Commission observes that RTI application was filed by the Complainant on 30.05.2019 and the reply was sent by the PIO on 04.07.2019. There appears to be no malafide on the part of the PIO in attending to the RTI application. However, the complainant has come to the Commission without going to the First Appellate Authority.

If the complainant is not satisfied with the reply, he is directed to go to the First Appellate Authority. The First Appellate Authority is directed to consider the appeal and dispose it within a period of 30 days as per the RTI ACT.

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

Chandigarh
Dated 28.05.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: Special Director General-cum-First Appellate Authority,
Arms Battalion, PAP
Jalandhar Cant.

Sh. Taranjit Singh,
465, Jagatar Nagar,
Patiala .

....Complainant

Vs

Public Information Officer,
O/o SDO, PSPCL,
West Sub Division, Patiala.

...Respondent

Complaint Case .No. 1079 of 2019

PRESENT

None for the Complainant

Sh.Om Parkash, SDO-PSPCL West Sub Division, Patiala for the Respondent

ORDER:

The complainant through RTI application dated 04.10.2019 has sought information regarding action taken on his letter dated 03.10.2019 alongwith the name of officers who passed order to pay electricity bill in instalments and other information concerning the office of SDO-PSOCL, West Sub Division, Patiala. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 13.12.2019.

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Patiala. The respondent present pleaded that the RTI application was received in their office on 15.10.2019 and the reply was sent to the complainant on 22.10.2019.

The complainant is absent. Having gone through the record, the Commission observes that the RTI application was filed by the Complainant on 04.10.2019 and the reply was sent by the PIO on 22.10.2019. There appears to be no malafide on the part of the PIO in attending to the RTI application. However, the complainant has come to the Commission without going to the First Appellate Authority.

If the complainant is not satisfied with the reply, he is directed to go to the First Appellate Authority. The First Appellate Authority is directed to consider the appeal and dispose it within a period of 30 days as per the RTI ACT.

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

Chandigarh
Dated 28.05.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: The Chief Engineer-cum First Appellate Authority
PSPCL, South Zone,
Patiala



Sh.Bhupinder Singh, S/o Sh Gurjail Singh,
Village Bahmna Basti,
Tehsil Samana, Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o DC,
Patiala.

First Appellate Authority,
O/o Commissioner, Patiala Division,
Patiala.

...Respondent

Appeal Case No. 411 of 2019

PRESENT: Sh.Bhupinder Singh as the Appellant
Sh.Harpreet Singh O/o PWD(B&R) Patiala for the Respondent

ORDER: The case was first heard on 29.07.2019. Having gone through the record, it was observed that the appellant had filed RTI application with DC office Patiala which forwarded it to the office of DDPO Samana and DDPO further forwarded the RTI application to the BDPO Samana. The respondent present from the office of BDPO Samana pleaded that the information does not pertain to them.

The case was sent back to the Deputy Commissioner, Patiala to ascertain the department under whose custody this particular information exists and directed them to look at the RTI application and provide the information as per the RTI Act.

The case was last heard on **04.11.2019**. The respondent present pleaded that the information has been supplied to the appellant. The appellant was not satisfied and stated that he has sought the copies of that letter/certificate through which the khasra numbers were allotted and the copy of Govt order/rule under which the PWD rest house was constructed.

The respondent stated that the information regarding point-1 is not available in their record and it might be available with the office of Director Land Records, Punjab, Kapurthala Road, Jalandhar. The respondent further stated that information regarding point-2 is also not available in their record and it may be available in PWD office. The PIO-Director Land Record, Kapurthala Road, Jalandhar and the PIO-PWD(B&R), Patiala were impleaded in the case and directed to look at the RTI application and provide the relevant information to the appellant.

The case was last heard on **15.01.2020**. The appellant claimed that no information has been provided to him. The PIO-Director Land Record, Kapurthala Road, Jalandhar and the PIO-PWD(B&R), Patiala were absent. The PIO-Director Land Record, Kapurthala Road, Jalandhar and the PIO-PWD(B&R), Patiala were given one more opportunity to look at the RTI application and provide the information as per the RTI application and be present on the next date of hearing otherwise the Commission will be constrained to take action as per provisions of the RTI Act. A copy of the RTI application is enclosed with the order.

Hearing dated 29.05.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Patiala. The Commission has received a letter diary No.2166 on 31.01.2020 from the PIO-Director Land Record stating that they have sent the available information to the appellant concerning them vide letter dated 28.01.2020 and a copy sent to the Commission.

Appeal Case No. 411 of 2019

The respondent from the office of PWD is present and informed that they have not received the copy of RTI application. The appellant has provided a copy of the RTI application to the respondent during the hearing. The PIO-PWD(B&R) is directed to look at the RTI application and provide the information whatever available in the record to the appellant as per the RTI ACT.

To come up for further hearing on **20.07.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated:28.05.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

**CC to:1. PIO-Director Land Records,
Kapurthala Road, Jalandhar**

2. PIO-PWD(B&R), Patiala



Sh.Ramdhan Singh, S/o Sh Atma Singh,
Village Todarwal, P.O Babarpur,
Tehsil Nabha, Distt Patiala..

... Appellant

Versus

Public Information Officer,
O/o SSP,
Patiala.

First Appellate Authority,
O/o IGP, Zonal-1,
Patiala.

...Respondent

Appeal Case No.457 of 2019

PRESENT: Sh.Ramdhan Singh as the Appellant
Sh.Ramneek Singh, ASI-RTI Branch O/o SSP Patiala for the
Respondent

ORDER:

The case was first heard by Sh.A.S.Chanduraian, State Information Commissioner on 13.03.2019. Sh.Ajeet Singh, ASI and Sh.Sukhbahal Singh HC appeared on behalf of the respondent submitted a reply of the PIO dated 12.03.2019 stating therein that the information has been supplied to the appellant. The respondent handed over a copy of the information to the appellant during the hearing. The appellant was not satisfied and stated that the PIO has supplied incomplete information. The appellant was directed to file written submission regarding his grievances and the PIO was directed to remove the same.

The case was again heard by this bench on **29.07.2019**. The respondent present pleaded that the information has been provided to the appellant. Sh.Akash Verma representing the appellant claimed that the information is incomplete. Having gone through the RTI application and hearing both the parties, the following was concluded:

- | | | |
|----------------------|---|---|
| - Points-1, 4, 6 & 7 | - | Provided |
| - Point-3 | - | PIO to provide investigation report |
| - Point-5 | - | PIO to provide relevant document |
| - Point-2 | - | The appellant has informed that the said tree was declared dangerous and an order was issued to cut the tree. The appellant to submit copy of that document. To be adjudicated on the next date of hearing. |

The case was further heard on **06.11.2019**. Both the parties were absent. The case was adjourned.

The case was last heard on **15.01.2020** The respondent present informed that the remaining information has been provided to the appellant. The appellant stated that he has not received the information on point-3 and is not satisfied with the reply relating to points 4 & 7. Hearing both the parties, the PIO was directed to provide/clarify the following:

- | | | |
|-----------|---|--|
| - Point-3 | : | PIO to provide investigation report |
| - Point-4 | - | PIO to give in writing that no arrest was made |
| - Point-7 | - | PIO to clarify this point |

Hearing dated 28.05.2020:

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Patiala. The respondent informed that as per order of the Commission, the information has been supplied to the appellant. The appellant informed that the PIO has not provided the information on point 3. The respondent pleaded that the investigation report has been presented in the court and the information cannot be provided as it is no longer in their custody.

The appellant pleaded that they have verified from the court whether their challan has been presented and as per them, the court records, which they checked, it indicates that the record is yet to be submitted.

The Police is asked to recheck its record. If the record is found, the police should file a reply stating what information it can provide and what it cannot, by citing the relevant exemptions of the RTI Act.

The PIO is directed to procure an affidavit from the SSP stating the correct position of the status of the case file once it is submitted in the court.

Whether the custody of the file is no longer with the police and that it does not have any duplicate document in its custody.

To come up for further hearing on **20.07.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated:28.05.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Arvinder Singh,
H no-4589/5, Upkar Nagar,
Factory Area, Patiala.

... Appellant

Versus

Public Information Officer,
O/o Nodal Officer, PSPCL,
Patiala.

First Appellate Authority,
O/o Chief Accounts Officer,
Head Quarter, PSPCL,
Patiala.

...Respondent

Appeal Case No. 1963 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The case was first heard on **17.10.2020**. The respondent brought the information and handed over to the appellant. The appellant pleaded that the information has been provided but with a delay of more than ten months.

Hearing both the parties, the Commission observed that the respondent has brought the information but never provided the information after the RTI was filed and instead decided to call the appellant for inspection. The Commission found this as a delay-in-tactics and directed 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.**

The appellant was directed to send discrepancies if any to the PIO and the PIO was directed to remove the same.

The case was last heard on **13.02.2020**. The PIO was present and informed that the information has been provided to the appellant and the appellant has received the same. The appellant pleaded that the information has been provided with a delay of more than ten months.

The PIO submitted an affidavit explaining the reasons for delay in providing the information. Having gone through the record, the Commission observes that the PIO has not attended to the RTI application within the time prescribed under the RTI Act and has supplied the information on 17.10.2019 only after the appellant came to the Commission.

A penalty of **Rs.25,000/-** was imposed upon Sh.Ashok Kumar, Joint Secretary (Finance-I)-cum-PIO PSPCL Patiala and the PIO directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

The PIO was also directed to pay an amount of **Rs.5000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time.

Appeal Case No. 1963 of 2019

Hearing dated 28.05.2020:

Both the parties are absent. The Commission has received a letter diary No.5390 on 23.03.2020 from the PIO stating that they have deposited the amount of penalty in the Govt treasury and a copy of challan is submitted to the Commission. The PIO has also informed that they have paid compensation amount of Rs.5000/- to the appellant vide draft dated 05.03.2020. The appellant vide email has informed that he has received the compensation amount and does not want to pursue the case further.

Since the information has been provided and the PIO has submitted proof of having deposited the amount of penalty in the Govt Treasury as well as proof of having paid the compensation amount to the appellant, no further course of action is required.

The case is disposed off and closed.

Sd/-

Chandigarh
Dated 28.05.2020

(Khushwant Singh)
State Information Commissioner

CC to:Sh.Ashok Kumar,
Joint Secretary(Finance-I),
PSPCL Patiala.

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Visit us: - www.infocommpunjab.com



Sh. Jasbir Singh,
Village Bholapur Jhabewal,
PO Ramgarh , Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Patiala.

First Appellate Authority,
O/o SSP,
Patiala.

...Respondent

Appeal Case No. 2963 of 2019

**PRESENT: Sh.Jasbir Singh as the Complainant on mobile W/S
Sh.Ramneek Singh, ASI RTI Branch O/o SSP Patiala for the
Respondent**

ORDER:

The appellant through RTI application dated 17.05.2019 has sought information regarding status report of FIR No.88 dated 18.03.2014 – Police Station Tripti, Patiala alongwith copy of challan and other information concerning the office of SSP Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 17.06.2019 which took no decision on the appeal.

The case was first heard on **18.12.2019**. The respondent present pleaded that challan has already been presented in the court and the appellant has been sent reply vide letter dated 20.06.2019, hence the information cannot be provided. The appellant was absent and vide email sought exemption. The appellant was directed to send his observations in writing to the Commission.

The case was last heard on **17.02.2020**. The respondent present pleaded that since the challan alongwith complete record has been presented in the court, the information cannot be provided.

The appellant claimed that the PIO vide letter dated 09.07.2019 had denied the information stating that the information is 3rd party. The PIO was directed to respond to the RTI application appropriately.

Hearing dated 28.05.2020:

The respondent pleaded that the challan has been presented in the court and the appellant may get the information from the court. The respondent has also pleaded that the information asked for pertains to third party and hence cannot be provided.

The case is adjourned. To come up for further hearing on **20.07.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Patiala.

**Chandigarh
Dated 28.05.2020**

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Rachana Devi,
127, Phulkian Enclave,
Patiala.

... Appellant

Versus

Public Information Officer,
O/o EO, BDA,
Bathinda.

First Appellate Authority,
O/o Addl, Chief Administrator,
BDA, Bathinda.

...Respondent

Appeal Case No. 2018 of 2019

PRESENT: None for the Appellant
Sh.Gurpreet Singh, O/o -BDA Bhatinda for the Respondent on Mobile
W/s

ORDER:

The case was first heard on 21.10.2019. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 18.03.2019. The appellant was not satisfied on points a, c & d. The respondent further pleaded that the concerned dealing person is on medical leave due to illness. The appellant stated that he filed RTI application on 31.12.2018 and even after a lapse of nine months, he has not been provided the complete information.

Having gone through the record, the Commission observed that the information stands provided on points b, c & e. However, there was an enormous delay in providing the information, the PIO was issued **show cause notice and directed to file reply on an affidavit**. The PIO was again directed to provide the information on points a & d within 10 days and send a compliance report to the Commission.

The case was last heard on **08.01.2020**. The respondent present pleaded that the information has been provided to the appellant. The PIO however, did not respond to the show cause notice. At the hearing, the representative of the PIO stated that at the time of filing RTI application, Sh.Amarjit Singh was the PIO who has since retired. The PIO at the time of issue of show cause was Sh.Vinod Bansal in the capacity of EO-BDA Bathinda. The EO-BDA has not responded to the show cause.

A last opportunity was given to the PIO to file written reply to the show cause notice issued for delay in providing the information, otherwise the Commission would be constrained to take a view that the PIO has nothing to say in the matter and would take decision as per the RTI Act.

Hearing dated 28.05.2020:

The case has come up for hearing through video conference facility available in the office of Deputy Commissioner, Patiala. The PIO is absent. Sh.Gurpreet Singh representing the PIO on Mobile W/S video has sent a reply via email on behalf of the PIO which is taken in the file of the Commission. The reply is not from the PIO.

Appeal Case No. 2018 of 2019

In the reply, the respondent has mentioned that at the time of RTI application, Sh.Udaydeep Singh Sidhu,PCS was the EO-cum-PIO for the period from Jan.2019 to July, 2019 and Sh.Vinod Bansal, PCS was PIO-cum-EO from Oct 2019 to Dec.2019 and at present the post of PIO-cum-EO BDA is lying vacant after the transfer of Sh.Vinod Bansal. The respondent has not informed the present posting of these officers.

The respondent is directed to clarify –

- Who was the PIO when the RTI application was filed;
- Who was the PIO when the show cause notice was issued.

To come up for further hearing on on **20.07.2020 at 01.00PM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated:28.05.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Dr. Arvinder Pal Kaur.
H No-B-2/1139, Lehal Colony,
Patiala.

... Appellant

Versus

Public Information Officer,
O/o Chairman-cum-Managing Director,
PSPCL, Patiala.

First Appellate Authority,
O/o Pr. Secretary,
Deptt of Power Govt of Punjab,
Chandigarh.

...Respondent

Appeal Case No. 2088 of 2019

PRESENT: Dr.Bhupiner Pal Singh on behalf of the Appellant
Sh.Kamalpreet Singh, Dy.Manager, PSPCL Patiala

ORDER:

The case was first heard on 22.10.2019. The respondent present from the office of Department of Power, Govt of Punjab pleaded that since the information relates to the office of Chairman-cum-Managing Director, PSPCL Patiala, the RTI application was transferred to them on 04.01.2019. The respondent present from the office of PSPCL Patiala brought the information and handed over to the appellant.

The appellant was not satisfied and stated that the information is incomplete. Having gone through the RTI application and the information provided by the respondent, following was concluded:

- | | | |
|---------------------------|---|--|
| Points-8 | - | Not required |
| Point-9 | - | To provide |
| Points-13, 16, 17, 18, 21 | - | To provide whatever the information is available on Record |
| Points-24 & 25 | - | PIO to procure and provide |

Rest of the information had been provided. The appellant was directed to go through the information and point out the discrepancies, if any at the next date of hearing.

The case was last heard on **08.01.2020**. The appellant pointed out the discrepancies. The respondent provided the information on points- 9, 13 & 25.

Regarding point-16, the PIO-Powercom was directed to provide whatever the document is available which defines the powers of the Administrative Secretary.

Points 17 & 18: The respondent stated that the information is not available. The PIO is directed to give this in writing on an affidavit.

Point No.24 The PIO to remove the anomaly.

Appeal Case No. 2088 of 2019

Hearing dated 28.05.2020:

The respondent present from the office of PSPCL Patiala provided the information on point-24 during the hearing. The representative present for the appellant is not satisfied with the affidavit regarding points 17 & 18. The representative has also approached the Commission about the inadequacy of few more points. The respondent from Powercom is absent. Hearing both the parties, following is directed:

- Point-17 & 18 - The PIO to provide proper affidavit duly attested.
- Point – 16 - PIO-Powercom to provide
- Point-13 - To provide whatever instruction is available
- Point-10 - PIO to procure from the concerned person and provide
- Point-12 - To provide link

To come up for further hearing on on **20.07.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 28.05.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Ajitpal Singh,
Room No-408/409, Shakti Sadan,
Communication T&C Cell, PSTCL,
Jalandhar.

... Appellant

Versus

Public Information Officer,
O/o PSPCL,
Patiala.

First Appellate Authority,
O/o Chief Engineer/HRD,
PSPCL, Patiala.

...Respondent

Appeal Case No. 2204 of 2019

**Present: Sh.Ajitpal Singh as the Appellant online Mobile W/s
Sh.Kamalpreet Singh Dy Manager, PSPCL for the Respondent**

Order:

This order should be read in continuation to the earlier order.

The case was first heard on 30.10.2019. The respondent present pleaded that the available information has already been provided to the appellant. The appellant was not satisfied with the information regarding points 3 & 5 stating that the PIO is not providing the noting sheet through which the office has arrived at a formula for calculation of benchmark. The respondent stated there is no such formula available in their record.

Hearing both the parties, the PIO was directed to look at points 3 & 5 and respond to this query in an elaborate manner and if the information is not available, to give in writing on an affidavit that the information is not available in your record.

The case was last heard on **15.01.2020**. The respondent brought the information on point-5 and handed over to the appellant. The appellant had received the same and was satisfied. Regarding point-3, the respondent informed that the information is to be provided by Sh.Kamalpreet Singh, Dy Manager, Secret Cell, PSPCL Patiala. The PIO-PSPCL, Secret Cell was directed to provide the information on point-3 and if the information is not available, to give in writing on an affidavit.

Hearing dated 28.05.2020:

The appellant informed that the affidavit provided by the PIO is not proper and certified. The PIO is directed to provide the proper affidavit duly certified by the competent authority. The information be provided within a week.

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

Chandigarh
Dated 28.05.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Karamjit Singh, S/o Sh Maghar Singh,
1169, Khanna Nagar, Bye Pass road,
Lehra Gaga, Distt Sangrur.

... Appellant

Versus

Public Information Officer,
O/o Director Administrator,
PSPCL, Patiala.

First Appellate Authority,
O/o Chief Engineer, H.O,
PSPCL, The Mall, Patiala.

...Respondent

Appeal Case No. 3285 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 24.04.2019 has sought information on 11 points regarding rules/regulations for taking decision of issuing charge sheet No.25,26,27,28 & 29 relating to providing unauthorized AP connection and other information concerning the office of Director Administration, PSPCL Patiala. The appellant was not satisfied with the reply of the PIO dated 29.05.2019 from after which the appellant filed first appeal before the First Appellate Authority on 04.06.2019 which took no decision on the appeal.

The case was last heard on 24.12.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied.

Having gone through the file and hearing both the parties, the PIO-Director Administration, PSPCL Patiala was directed to provide the information as per available record. The information be provided within 10 days otherwise the Commission will be constrained to issue a show cause notice to the PIO under section 20 of the RTI Act. The PIO is also directed to be present on the next date of hearing.

Hearing dated 28.05.2020:

The case has come up for hearing through video conference facility in the office of Deputy Commissioner, Patiala. Both the parties are absent.

The case is adjourned. To come up for further hearing on **20.07.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Patiala.

Chandigarh
Dated 28.05.2020

Sd/-
(Khushwant Singh)
State Information Commissioner