

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



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

Appellant

Public Information Officer,
O/o XEN,
Water Supply and Sanitation,
Division No-1, Bathinda.

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

...Respondent

Appeal Case No. 1268 of 2020

PRESENT: None for the Appellant
Sh.Manpreet Singh, Xen Div.1 for the Respondent

ORDER:

The appellant through RTI application dated 0.01.2020 has sought information regarding grants received/utilized in division from 07.01.2019 to 06.01.2020 –copies of comparative statements approved by competent authority for works by e-tendering/online – work by tender/offline undertaken – sanction letter issued for work of CSR to all SDE from the office of Executive Engineer, W/S & Sanitation Division No.1, Bathinda. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.02.2020 which took no decision on the appeal.

The case came up for hearing today through video conferencing at DAC Bathinda. The appellant is absent and vide email has informed that the PIO has not provided the information.

The respondent is present and has asked for a week's time to provide the complete information.

The PIO is directed to provide the information to the appellant within a week and send a compliance report to the Commission.

To come up for further hearing on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Sd/-

Chandigarh
Dated 28.09.2020

(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



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

Appellant

Public Information Officer,
O/o XEN,
Water Supply and Sanitation,
Division No-3, Bathinda.

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

...Respondent

Appeal Case No. 1276 of 2020

PRESENT: None for the Appellant
Sh.Prem Pal, Steno O/o Xen W/S Div.3 for the Respondent

ORDER:

The appellant through RTI application dated 06.01.2020 has sought information regarding works undertaken/carried out in Sub Divisions i) Bhagta Phika 2) Mour 3) Bathinda – work order book of all sub divisions – comparative statements for which no tender called, from the office of Executive Engineer, W/S & Sanitation Division No.3, Bathinda. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.02.2020 which took no decision on the appeal.

The case came up for hearing today through video conferencing at DAC Bathinda.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 03.03.2020. The appellant is absent and vide email has informed that the PIO has not provided the information.

The PIO is directed to resend the information to the appellant within a week with a copy to the Commission.

To come up for further hearing on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Sd/-

Chandigarh
Dated 28.09.2020

(Khushwant Singh)
State Information Commissioner



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

Appellant

Public Information Officer,
O/o XEN,
Water Supply and Sanitation,
Division No-3, Bathinda.

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

...Respondent

Appeal Case No. 1278 of 2020

PRESENT: None for the Appellant
Sh.Manpreet Singh, Xen Div.1 for the Respondent

ORDER:

The appellant through RTI application dated 06.01.2020 has sought information regarding grants received/utilized in division from 07.01.2019 to 06.01.2020 –copies of comparative statements approved by competent authority for works by e-tendering/online – work by tender/offline undertaken – sanction letter issued for work of CSR to all SDE from the office of Executive Engineer, W/S & Sanitation Division No.3, Bathinda. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.02.2020 which took no decision on the appeal.

The case came up for hearing today through video conferencing at DAC Bathinda.

The respondent present pleaded that some of the information has been provided to the appellant and remaining will be sent within a week.

The appellant is absent and vide email has informed that the PIO has not provided the information.

The PIO is directed to provide complete information to the appellant within a week and send a compliance report to the Commission.

To come up for further hearing on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated 28.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh.Harwinder Singh, S/o Sh. Mohinder Singh,
Ward No-3, H No-210, Bassi Pathana,
Distt. Fatehgarh Sahib.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Bathinda.

First Appellate Authority,
O/o IGP,
Bathinda Range, Bathinda.

...Respondent

Appeal Case No. 1224 of 2020

PRESENT: None for the Appellant
Sh.Sanjeev Singla, DSP for the Respondent

ORDER:

The appellant through RTI application dated 09.10.2019 has sought information regarding copy of complaint filed by Narinder Kaur w/o Harwinder Singh – copy of statement attached with the complainant by Narinder Kaur – statement of Harwinder Singh action taken by Women cell on the said complaint and other information concerning the office of SSP Bathinda. The appellant was not provided the information since the PIO asked the appellant vide letter dated 18.10.2019 to send ID proof alongwith complaint number, name of police station and year of complaint which was not provided by the appellant and the information was provided after which the appellant filed first appeal before the First Appellate Authority on dated Nil which disposed off the appeal 07.02.2020.

The case came up for hearing today through video conferencing at DAC Bathinda. The respondent present pleaded that the information has been sent to the appellant vide letter dated 24.09.2020.

The appellant is absent nor has informed whether he has received the information or not. The appellant is directed to point out the discrepancies if any to the PIO with a copy to the Commission and the PIO is directed to remove the same.

To come up for further hearing on **03.11.2020 at 02.00 PM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Chandigarh
Dated 28.09.2020

Sd/
(Khushwant Singh)
State Information Commissioner



Sh Nitin Kumar Garg,
C/o Police Public Dairy,
15-A, Shastari Nagar,
Model Town, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o XEN,
Water Supply and Sanitation,
Division No-1, Bathinda.

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

...Respondent

Appeal Case No. 1305 of 2020

PRESENT: None for the Appellant
Sh.Manpreet Singh, Xen W/S Div. No.1 for the Respondent

ORDER:

The appellant through RTI application dated 12.01.2020 has sought information regarding copy of enquiry report done by SDO Khosla in matter of water charge collection by Harbhajan Singh SDC and other information concerning the office of XEN, Water Supply and Sanitation, Division No-1, Bathinda. The appellant was not satisfied with the reply of the PIO dated 11.02.2020 after which the appellant filed first appeal before the First Appellate Authority on 16.02.2020 which took no decision on the appeal.

The case came up for hearing today through video conferencing at DAC Bathinda. The respondent present pleaded that no such enquiry has been conducted and the information has been sent to the appellant vide letter dated 24.09.2020. The appellant is absent and vide email informed that the information is incomplete.

The appellant is directed to point out the discrepancies if any in writing. The PIO is directed to remove the discrepancies. If no other information is available on record, the PIO to give an affidavit that the information that has been provided is true, complete and no other information is available in the record.

To come up for further hearing on **03.11.2020 at 02.00PM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Sd/-

Chandigarh
Dated 28.09.2020

(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh.Sudhir Sharma,C/o Shiv Enterprises,
Opposite Triveni Palace,
Paitala Road, Nabha.

... Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Nabha, Distt Patiala.

...Respondent

Complaint Case No. 95/ 2019, 109/2019, 110/2019, 111/2019

PRESENT: **None for the Appellant**
Sh.Rakesh Garg, EO-MC Bhawanigarh (Earlier PIO-cum-EO NC Nabha)for the
Respondent

ORDER: This order should be considered in continuation to the previous order.

The case was first heard on 13.03.2019. Sh.Gagandeep Singh, JE appeared on behalf of the respondent who sought adjournment which was granted.

On the date of hearing on **30.07.2019**, the complainant was absent and vide email informed that the PIO has not provided the information. The respondent was also absent.

Having gone through the file, the Commission observed that there has been an enormous delay of eight months in attending to the RTI application, the PIO was issued a **show cause notice** under section 20 of the RTI Act and directed to file reply on an affidavit. The PIO was again directed to provide the information to the complainant within 10 days.

The case was further heard on **06.11.2019**. The appellant was absent and telephonically sought exemption. The appellant further informed that the PIO has not provided the information.

The respondent Sh.Amrik Singh,EO appeared and informed that he had joined this office on 23.07.2019 and the delay had occurred on the part of the earlier PIO. The respondent also submitted his reply which was taken on the file of the Commission. In the reply, the respondent stated that after assuming the charge, he immediately asked the concerned junior engineer Sh.Gaganpreet Singh vide letter dated 23.07.2019 to provide the information to the appellant. Sh.Gaganpreet Singh was again instructed vide letter dated 16.08.2019 to provide the information to the appellant and be present before the Commission on the date of hearing on 06.11.2019. Sh.Gaganpreet Singh has been transferred and now posted in NC- Bagha Purana.

The PIO was directed to submit a detailed reply to the show cause notice on an affidavit and be present on the next date of hearing.

On the date of hearing on **23.01.2020**, the respondent submitted a reply to the show cause notice on an affidavit which was taken on the file of the Commission. The respondent also submitted a list of officers posted as PIOs at NC Nabha from the date of filing of RTI application till date. The respondent also informed that Sh.Rakesh Garg was the PIO-cum-EO NC Nabha when the RTI application was filed and he is now posted as EO-MC Bhawanigarh.

Complaint Case No. 95/ 2019, 109/2019, 110/2019, 111/2019

Having gone through the list, the Commission observed that Sh.Rakesh Garg had a significant tenure of stay as PIO in NC Nabha, but the RTI application was not attended to by him. Sh.Rakesh Garg, EO-MC Bhawanigarh was directed to appear personally before the Commission on the next date of hearing and explain the reasons why the RTI application was not attended to within the time prescribed under the RTI Act.

On the date of hearing on **29.06.2020**, Sh.Jatinder Singh appeared and informed that the information has been provided to the complainant. As per complainant, the information was incomplete. The appellant further informed that despite order of the First appellate Authority dated 04.03.2020, the complete information was not provided.

Hearing both the parties, the appellant was directed to inspect the record by fixing a mutually convenient date and time with the PIO and get the relevant information. The PIO was directed to allow the inspection to the appellant and provide relevant information as per the RTI Act. If the information is not available, to give in writing on an affidavit that the information supplied is complete and no further information is available.

The Commission observed that the complainant in had sought information in CC-95/2019, CC-109/2019, CC-110/2019 & CC-111/2019 from the same department i.e. EO-NC Nabha, all four cases were clubbed together and the PIO was directed to provide information in all these cases as per the RTI Act.

At the hearing on 23.01.2020, Sh.Rakesh Garg, EO-MC Bhawanigarh (Earlier PIO-cum-EO NC Nabha) was directed to appear personally before the Commission on the next date of hearing and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. Sh.Rakesh Garg, EO-NC Bhawanigarh was absent nor had sent any reply to the show cause notice.

To secure an erring PIO's presence before the commission, a bailable warrant of Sh.Rakesh Garg, EO-MC Bhawanigarh(Earlier PIO-cum-EO NC Nabha) was issued u/s 18(3) of the RTI Act through Senior Superintendent of Police, Sangrur for his presence before the Commission on **15.07.2020 which date** was postponed to 25.08.2020 and again to 28.09.2020.

Hearing dated 28.09.2020:

The case has come up for hearing today through video conferencing at DAC Patiala. Sh.Rakesh Garg EO-MC Bhawanigarh(Earlier PIO-cum-EO NC Nabha) is present and informed that he has already submitted his reply to the Commission. The Commission has received reply which is taken on the file of the Commission.

In the reply, the respondent has informed that he remained as EO-NC Nabha from 14.11.2018 to 26.03.2019 and thereafter went on medical leave. He further informed that during this period, he was having full charge of EO Nabha, additional charge of NC Bhawanigarh and Nagar Panchayat Amargarh but had a very uncooperative staff for which he had to suffer.

The respondent is directed to submit detailed reply on an affidavit.

To come up for further hearing on **01.12.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner Patiala.

Chandigarh
Dated: 28.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner