

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psic30@punjabmail.gov.in
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Sh Ramesh Kumar, S/o Lt Sh Amar Nath,
H NO-4-1652, Sardar Nagar, Ajnala Road,
Police Station S.J.S Avenue, Amritsar.

... Appellant

Versus

Public Information Officer,
O/o IGP, Border Range,
Amritsar.

First Appellate Authority,
O/o IGP, Border Range,
Amritsar.

...Respondent

Appeal Case No. 2043 of 2021

PRESENT: Sh.Ramesh Kumar as the Appellant
Mrs. Navneet Kaur, Inspector for the Respondent

ORDER:

The appellant, through an RTI application dated 20.11.2020, has sought information regarding the rules/instruction manual on the basis of which reinvestigation in case No.83/18 filed in police station Raja Sansi as per office memo No.1106/43766/B.R-AC dated 07.12.2019 was ordered, and a copy of the order/rule under which further enquiry can be rejected and other information as enumerated in the RTI application concerning the office of IGP Border Range, Amritsar. The appellant was not provided with the information, after which the appellant filed a first appeal before the First Appellate Authority on 07.12.2020, which did not decide on the appeal.

The case first came up for hearing on **22.11.2021** through video conferencing at DAC Amritsar. The appellant claimed that the PIO had not supplied the information.

As per the respondent, the appellant wanted the reinvestigation report, and since the reinvestigation report has been submitted in the court and they do not have such a report, the information cannot be provided.

The Commission did not agree with the respondent's reply as the appellant had asked for a copy of the order/rule based on which reinvestigation was done and a copy of the rule/order vide which further enquiry was rejected.

The case was marked to the SSP, Amritsar (Rural), with the direction to reconcile this case and resolve the matter at the earliest by providing a copy of the rule/order related to the RTI.

On the last hearing date on **02.02.2022**, the appellant informed that the PIO had not supplied the information.

The respondent was absent. The case was adjourned.

Hearing dated 29.03.2022:

The case has come up for hearing today through video conferencing at DAC Amritsar.

The respondent present pleaded that copy of orders of SDJM has been provided to the appellant.

As per the appellant, the PIO has not supplied a copy of the rules based on which reinvestigation was done.

The RTI application has been discussed at length, and after that, both parties have agreed to reconcile the matter. The appellant will visit the respondent's office and get the available information from the respondent on the spot. If no more information is available regarding this RTI application, the PIO will file an affidavit.

The case is adjourned. To come up for further hearing on **05.09.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated: 29.03.2022

Sd/-
(Khushwant Singh)
State Information Commission

CC to SSP Amritsar(Rural)



Sh. Ramesh Kumar, S/o Sh. Amar Nath,
H No-4-1652, Sardar Nagar,
Opposite Old Central Jail, Amritsar.

... Appellant

Versus

Public Information Officer,
O/o SSP, (Rural),
Amritsar.

First Appellate Authority,
O/o SSP, (Rural),
Amritsar.

...Respondent

Appeal Case No. 3585 2020

PRESENT: Sh.Ramesh Kumar as the Appellant
Ms.Navneet Kaur, Inspector for the Respondent

ORDER:

The appellant, through an RTI application dated 21.07.2020, has sought information regarding a copy of correspondence made/follow up done by the police Station Raja Sansi against Vinod Kumar, Neeraj Kumar and Vikramjit Sharma on the order of the court dated 05.12.2019 and other information as enumerated in the RTI application concerning the office of SSP(Rural), Amritsar. The appellant was not provided with the information, after which the appellant filed the first appeal before the First Appellate Authority on 25.08.2020, which did not decide on the appeal.

The case was first heard on 24.03.2021 through video conferencing at Amritsar. The respondent present pleaded that the case is pending cancellation in court.

The Commission received a reply from the PIO through email, which was taken on the file of the Commission. In the reply, the PIO stated that as per the report of the concerned SHO, the case was wrongly registered, and the cancellation report has been filed in the court of SDJM Radhika Puri, which is pending in the said court, and the reply has been sent to the appellant.

The appellant was not satisfied since the appellant merely wanted what action/follow up was done by the police on the court's order.

The PIO was directed to relook the RTI application, and if any follow up was done by the police, it be provided or replied to as per the status.

On the next hearing date on **01.11.2021**, the appellant was absent and vide email sought exemption on medical grounds. The appellant further informed that the PIO has not supplied the information in the said email. The case was adjourned.

On the last hearing date on **02.02.2022**, the appellant informed that the PIO has not supplied the information.

The respondent is absent.

The case was marked to the IGP border Range, Amritsar to get this case reconciled at the earliest and provide the information as sought under the RTI application, for the information provided is arbitrary and not as per the RTI application.

Hearing dated 29.03.2022:

The case has come up for hearing today through video conferencing at DAC Amritsar.

The respondent present pleaded that copy of the orders of SDJM has been provided to the appellant.

As per the appellant, the PIO has not supplied the information since the appellant wants what action/follow up was done by the police on the order of the court.

The RTI application has been discussed at length, and after that, both parties have agreed to reconcile the matter. The appellant will visit the respondent's office and get the available information from the respondent on the spot. If no more information is available regarding this RTI application, the PIO will file an affidavit.

The case is adjourned. To come up for further hearing on **05.09.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated: 29.03.2022

Sd/-
(Khushwant Singh)
State Information Commission

CC to: IGP-Border Range,
Amritsar

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Sh. Ramesh Kumar, S/o Sh. Amar Nath,
H No-4-1652, Sardar Nagar,
Opposite Old Central Jail,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o IGP, Border Range,
Amritsar.

First Appellate Authority,
O/o IGP, Border Range,
Amritsar.

...Respondent

Appeal Case No. 3587 2020

PRESENT: Sh.Ramesh Kumar as the Appellant
Ms.Navneet Kaur Inspector for the Respondent

ORDER:

The appellant through RTI application dated 20.08.2020 has sought information regarding the decision of IGP Border Range Amritsar on the application dated 25.07.2020 – directions given to SSP to ensure time bound action and other information as enumerated in the RTI application concerning the office of IGP Border Range, Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.09.2020 which took no decision on the appeal.

The case first came up for hearing on 24.03.2021 through video conferencing at DAC Amritsar. Having gone through the record, the Commission observed that the RTI application is not legible.

The appellant was directed to submit a typed legible copy of the RTI application to the Commission for the commission to pursue this case further.

On the date of the next hearing on **01.11.2021**, the appellant was absent and vide email sought exemption on medical grounds. In the said email, the appellant further informed that the PIO has not supplied the information.

On the date of last hearing on **02.02.2022**, it was observed that the appellant has not sent a typed legible copy of the RTI application.

The respondent was absent.

The case was marked to IGP Border Range, Amritsar to get this case reconciled at the earliest and provide the information as sought under the RTI application, for the information that is being provided is arbitrary and not as per the RTI application.

Hearing dated 29.03.2022:

The case has come up for hearing today through video conferencing at DAC Amritsar.

The respondent present pleaded that copy of orders of SDJM have been provided to the appellant.

As per appellant the PIO has not supplied the information that what decision was taken by IGP Border Range Amritsar on the application dated 25.07.2020.

The RTI application has been discussed at length, and after that, both parties have agreed to reconcile the matter. The appellant will visit the respondent's office and get the available information from the respondent on the spot. If no more information is available regarding this RTI application, the PIO will file an affidavit.

The case is adjourned. To come up for further hearing on **05.09.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated: 29.03.2022

Sd/-
(Khushwant Singh)
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H No-4-1652, Sardar Nagar,
Opposite Old Central Jail,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o SSP, (Rural),
Amritsar.

First Appellate Authority,
O/o SSP, (Rural),
Amritsar.

...Respondent

Appeal Case No. 3588 2020

PRESENT: Sh.Ramesh Kumar as the Appellant
Ms.Navneet Kaur, Inspector for the Respondent

ORDER:

The case first came up for hearing on 24.03.2021 through video conferencing at Amritsar. The respondent present pleaded that the case is pending cancellation in court.

The Commission received a reply from the PIO through email which was taken on the file of the Commission. In the reply, the PIO has stated that as per the report of the concerned SHO, the case was wrongly registered and the cancellation report has been filed in the court of SDJM Radhika Puri which is pending in the said court and the reply has been sent to the appellant.

The appellant was not satisfied since the appellant merely wants only copies of applications/memos sent by SSP to police station Raja Sansi for action relating to FIR No.83/18. The PIO was directed to relook the RTI application and provide the information as per the RTI application.

During the hearing, the Commission observed that the official, who had appeared in the Commission on behalf of the PIO did not know the etiquette of appearing in a court hearing. In spite of repeated cautions, the official's phone kept ringing and he kept taking the calls. This behaviour was clearly not acceptable during a hearing, and the commission marked this observation to the SSP for a suitable warning to the official. The SSP may also take necessary steps to educate PIOs about their conduct while appearing for hearings at the commission.

On the date of next hearing on **01.11.2021**, the appellant was absent and vide email sought exemption on medical grounds. In the said email, the appellant further informed that the PIO has not supplied the information. The case was adjourned.

On the date of last hearing on **02.02.2022**, the appellant informed that the PIO has not supplied the information .

The respondent was absent.

The case was marked to IGP Border Range, Amritsar to get this case reconciled at the earliest and provide the information as sought under the RTI application, for the information that is being provided is arbitrary and not as per the RTI application.

Hearing dated 29.03.2022:

The case has come up for hearing today through video conferencing at DAC Amritsar.

The respondent present pleaded that copy of orders of SDJM have been provided to the appellant.

As per appellant the PIO has not supplied the copies of applications/memos sent by SSP to police station Raja Sansi for action relating to FIR No.83/18.

The RTI application has been discussed at length, and after that, both parties have agreed to reconcile the matter. The appellant will visit the respondent's office and get the available information from the respondent on the spot. If no more information is available regarding this RTI application, the PIO will file an affidavit.

The case is adjourned. To come up for further hearing on **05.09.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated: 29.03.2022

Sd/-
(Khushwant Singh)
State Information Commission

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Amritsar

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H No-4-1652, Sardar Nagar,
Opposite Old Central Jail,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o SSP, (Rural),
Amritsar.

First Appellate Authority,
O/o SSP, (Rural),
Amritsar.

...Respondent

Appeal Case No. 3589 2020

PRESENT: Sh.Ramesh Kumar as the Appellant
Ms.Navneet Kaur, Inspector for the Respondent

ORDER:

The appellant through the RTI application dated 03.08.2020 has sought information regarding copies of statements of witnesses and other information as enumerated in the RTI application concerning the office of SSP(Rural) Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 09.09.2020 which took no decision on the appeal.

On the date of the first hearing on 01.11.2021, the respondent present pleaded that the case is pending cancellation in court.

The Commission received a reply from the PIO through email which was taken on the file of the Commission. In the reply, the PIO has stated that as per the report of the concerned SHO, the case was wrongly registered and the cancellation report has been filed in the court of SDJM Radhika Puri which is pending in the said court and the reply has been sent to the appellant.

The appellant was not satisfied with the reply since the appellant merely wanted the statement of witnesses who appeared during the enquiry proceedings relating to FIR No.83/18 filed in Police Station Raja Sansi.

The PIO was directed to relook the RTI application and provide the information as per the RTI Act.

On the date of the hearing on **01.11.2021**, the appellant was absent and vide email has sought exemption on medical grounds. In the said email, the appellant further informed that the PIO has not supplied the information. The case was adjourned.

On the date of last hearing on **02.02.2022**, the appellant informed that PIO has not supplied the information.

The respondent was absent.

The case was marked to IGP Border Range, Amritsar to get this case reconciled at the earliest and provide the information as sought under the RTI application, for the information that is being provided is arbitrary and not as per the RTI application.

Hearing dated 29.03.2022:

The case has come up for hearing today through video conferencing at DAC Amritsar.

The respondent present pleaded that copy of orders of SDJM have been provided to the appellant.

As per appellant the PIO has not supplied the statement of witnesses who appeared during the enquiry proceedings relating to FIR No.83/18 filed in Police Station Raja Sansi.

The RTI application has been discussed at length, and after that, both parties have agreed to reconcile the matter. The appellant will visit the respondent's office and get the available information from the respondent on the spot. If no more information is available regarding this RTI application, the PIO will file an affidavit.

The case is adjourned. To come up for further hearing on **05.09.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated: 29.03.2022

Sd/-
(Khushwant Singh)
State Information Commission

CC to: IGP-Border Range,
Amritsar

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Sh. Ramesh Kumar, S/o Sh. Amar Nath,
H No-4-1652, Sardar Nagar,
Opposite Old Central Jail,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o SSP, (Rural),
Amritsar.

First Appellate Authority,
O/o SSP, (Rural),
Amritsar.

...Respondent

Appeal Case No. 3607 of 2020

PRESENT: Sh.Ramesh Kumar as the Appellant
Ms.Navneet Kaur Inspector for the Respondent

ORDER:

The appellant through the RTI application dated 01.07.20 has sought information regarding a copy of the enquiry report bearing No.1606-IGP dated 06.09.2018 and 581-IGP/2019 conducted by Shl.Harpal Singh, PPD then SP Investigation and Sh.Baljit Singh PPS then SP Headquarter Amritsar and other information as enumerated in the RTI application concerning the office of SSP (Rural) Amritsar. The appellant was not satisfied with the reply of the PIO dated 07.07.2020 after which the appellant filed the first appeal before the First Appellate Authority on 18.08.2020 which took no decision on the appeal.

The case last came up for hearing on 24.03.2021 through video conferencing at DAC Amritsar. The respondent present pleaded that the case is pending cancellation in court.

The Commission received a reply from the PIO through email which was taken on the file of the Commission. In the reply, the PIO has stated that as per the report of the concerned SHO, the case was wrongly registered and the cancellation report has been filed in the court of SDJM Radhika Puri which is pending in the said court and the reply has been sent to the appellant.

The appellant was not satisfied since the appellant wanted the enquiry report dated 06.09.2018 which was conducted by Shl.Harpal Singh, PPS, (then SP Investigation), and Sh.Baljit Singh PPS (then SP Headquarter Amritsar).

The PIO SSP was directed to relook the RTI application and provide the information as per the RTI application.

The case was marked to the SSP to ensure compliance and to provide information as per the RTI Act and if need be, the appellant be called to the office to clarify and resolve the matter. Since case nos 3585/2020, 3587/2020, 3588/2020 & 3589/2020 are also of the same nature the SSP was directed to intervene in the matter and ensure that a suitable reply is filed in each of the mentioned cases.

Appeal Case No. 3607 of 2020

On the date of hearing on **01.11.2021**, the appellant was absent and vide email has sought exemption on medical grounds. In the said email, the appellant further informed that the PIO has not supplied the information. The case was adjourned.

On the date of last hearing on **02.02.2022**, the appellant informed that PIO has not supplied the information.

The respondent was absent.

The case was marked to IGP Border Range, Amritsar to get this case reconciled at the earliest and provide the information as sought under the RTI application, for the information that is being provided is arbitrary and not as per the RTI application.

Hearing dated 29.03.2022:

The case has come up for hearing today through video conferencing at DAC Amritsar.

The respondent present pleaded that copy of orders of SDJM have been provided to the appellant.

As per appellant the PIO has not supplied the enquiry report dated 06.09.2018 which was conducted by Shl.Harpal Singh, PPS, (then SP Investigation), and Sh.Baljit Singh PPS (then SP Headquarter Amritsar).

The RTI application has been discussed at length, and after that, both parties have agreed to reconcile the matter. The appellant will visit the respondent's office and get the available information from the respondent on the spot. If no more information is available regarding this RTI application, the PIO will file an affidavit.

The case is adjourned. To come up for further hearing on **05.09.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated: 29.03.2022

Sd/-
(Khushwant Singh)
State Information Commission

CC to: IGP-Border Range,
Amritsar

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Sh Jasveer Singh, S/o Sh Joginder Singh,
R/o Village Mehga Panj Grayi Hithar,
Tehsil Guru Har Saahai, Distt Ferozepur.

... Appellant

Versus

Public Information Officer,
O/o DC,
Ferozepur.

First Appellate Authority,
O/o DC,
Ferozepur

...Respondent

Appeal Case No. 756 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 21.07.2020 has sought information regarding a copy of the complaint dated 08.06.2020 filed against Sh.Chanda Singh, Panchyat Secretary-cum-PIO Gram Panchayat, Megha Panj Gharai Block Guruharsahai along with the action taken on the complaint and other information as enumerated in the RTI application concerning the office of Deputy Commissioner, Ferozepur. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 26.08.2020 which took no decision on the appeal.

The case last came up for hearing on 20.07.2022 through video conferencing at DAC Ferozepur. Both the parties were absent.

The case was adjourned.

Hearing dated 29.03.2022:

The case has come up for hearing today through video conferencing at DAC Ferozepur. Both the parties are absent.

In the interest of justice, one more opportunity is granted and the case is adjourned.

To come up for further hearing on **05.09.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ferozepur

Chandigarh
Dated : 29.03.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Anil Gupta,
69, Officers Colony,
Ferozepur City.

... Complainant

Versus

Public Information Officer,
O/o DC,
Faridkot.

...Respondent

Complaint Case No. 279 of 2021

PRESENT: None for the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 18.11.2020 has sought information on 04 points regarding non provision of employment to the blind in grade-3 after implementation of reservation rules in PWD – regarding not filling of posts from grade-4 to grade-3 – the period up to which posts will be filled under 1% reservation rules – reasons for violation of PWD Act 1995 & 2016 Supreme court order, High court order, Pb Govt order and other information as enumerated in the RTI application concerning the office of DC Faridkot. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 04.03.2021.

The case last came up for hearing on 20.07.2021 through video conferencing at DAC Ferozepur. Both the parties were absent.

The case was adjourned.

Hearing dated 29.03.2022:

The case has come up for hearing today through video conferencing at DAC Ferozepur. Both the parties are absent.

In the interest of justice, one more opportunity is granted and the case is adjourned.

To come up for further hearing on **05.09.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ferozepur

Chandigarh
Dated : 29.03.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Samdeep Singh, S/o Sh Darshan Singh,
R/o Bhai Bakhtor, Tehsil Maur,
Distt Bathinda.

... Complainant

Versus

Public Information Officer,
O/o Inspector,
Food Supply Department,
Maur, Distt Bathinda.

...Respondent

Complaint Case No. 245 of 2021

PRESENT: None for the Complainant
None for the Respondent

ORDER:

The complainant through an RTI application dated 27.07.2020 has sought information regarding details of items of ration issued to depot holders from 01.01.2020 to 30.06.2020 – distribution of ration to consumers and other information as enumerated in the RTI application concerning the office of Inspector, Food Supply Department, Maur, Distt.Bathinda. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 25.02.2021.

The case last came up for hearing on 20.07.2022 through video conferencing at DAC Bathinda. As per the complainant, the PIO had not supplied the information.

The respondent was absent.

The PIO was directed to provide information to the complainant as per the RTI application and send a compliance report to the Commission. The PIO was also directed to appear before the Commission on the next date of hearing along with an explanation for not attending to the RTI application within the time prescribed under the RTI Act.

Hearing dated 29.03.2022:

The case has come up for hearing today through video conferencing at DAC Bathinda. Both the parties are absent.

There is nothing on record that shows that the PIO has complied with the order of the Commission to provide the information nor has appeared.

There has been an enormous delay of more than one year and seven months in providing the information. 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 person(s) 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 **31.05.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda.

Sd/-

Chandigarh
Dated : 29.03.2022

(Khushwant Singh)
State Information Commission

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Sh. Vikarm Vaid,
H No-1527, Gali No-2,
Bagh Rama Nand,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Director of Local Govt, Pb
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Addl, Director,
Deptt of Local Govt, Pb
Sector-35-A, Chandigarh.

... Respondent

Appeal Case No. 1336 of 2020

PRESENT: Sh.Vikram Vaid as the Appellant
Shri Santokh Lal, Accountant for the Respondent

ORDER: Facts of the case:-

That the appellant, through an RTI application dated 05.11.2019, has sought information regarding details of funds allotted to Mehatpur Nagar Panchayat after 01.09.2006 in Nakodar – objective plan for which funds were allotted – bank details of Mehatpur Panchayat – internal audit report – AG Punjab audit report – deficiency found in the audit report and other information concerning the office of Director of Local Govt. Department, Pb Chandigarh. The appellant was not provided with the information, after which the appellant filed the first appeal before the first appellate authority on 22.12.2019, which did not decide on the appeal.

That the case came up for hearing first on 07.10.2020. Sh.Santokh Lal Account was present on behalf of Nagar Panchayat Mehatpur who pleaded that the information has been sent to the appellant vide letter dated 03.10.2020 and a copy of the same submitted to the Commission. The appellant claimed that he has not received the information.

Since as per the respondent, the information was sent on 03.10.2020, the appellant was directed to point out the discrepancies to the PIO once the information is received and the PIO was directed to remove the same.

That on the date of hearing on **09.03.2021**, due to the non-functioning of VA at DAC Amritsar, the appellant could not be heard.

The Commission received an email from the appellant in which the appellant has pointed out deficiencies, which was taken on the file of the Commission. The respondent had brought the information and claimed that all deficiencies have been redressed.

A copy of the additional information was sent to the appellant along with the order.

The case was adjourned.

Appeal Case No. 1336 of 2020

That on the date of hearing on **18.05.2021**, the appellant claimed that the PIO has not sorted out the discrepancies relating to point-4 since the audit reports for the year 2012 to 2015 was unattested, the audit reports for the years 2015-16 was not legible and audit report for the year 2018 had not been received.

The respondent was absent. The PIO was directed to sort out the discrepancies and provide attested legible copies of the information. The PIO was also directed to provide the remaining information relating to point-4 and be present at the next date of hearing.

That on the date of last hearing on **31.08.2021**, the appellant claimed that despite orders of the Commission, the PIO has not supplied the complete information.

The respondent was absent on 2nd consecutive hearing nor had complied with the order of the Commission. **A show cause notice was issued to the PIO and directed to file reply on an affidavit.** The PIO was again directed to sort out the discrepancies and provide complete information to the appellant within 10 days of the receipt of the order.

That the case has come up for **hearing today** through video conferencing at DAC Amritsar.

The respondent present from the office of Nagar Panchayat Mehatpur pleaded that available information has already been provided to the appellant on 08.03.2021. As per appellant the information has not been supplied to him by the PIO.

The PIO is absent nor has filed reply to the show cause notice as well as not complied the order of the Commission to provide complete information.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO and as per respondent, Sh.Des Raj was the EO-cum-PIO, Nagar Panchayat Mehatpur when the RTI application was filed till 17.10.2021 (now transferred and posted as EO-NC, Adampur), Sh.Des Raj, EO-NC Adampur (earlier PIO-Nagar Panchayat Mehatpur) is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. The PIO is also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.

Hence, given the above facts a penalty of **Rs.10,000/-** is imposed on the Sh.Des Raj, EO-NC Adampur (earlier EO-cum-PIO-Nagar Panchayat Mehatpur) which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

Further, the Commission is of the view that since the complainant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

Hence the PIO- Nagar Panchayat Mehatpur is directed to pay an amount of **Rs.2500/-** via demand draft 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. The PIO is directed to duly inform the commission of the compliance of the order and submit proof of having compensated the appellant.

Appeal Case No. 1336 of 2020

To come up for further hearing on **09.05.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar. The PIO to appear at Chandigarh.

Chandigarh
Dated:29.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: 1. Sh.Des Raj, EO-Nagar Council,
Adampur, District Jalandhar

2. EO-cum-PIO-Nagar Panchayat,

Mehatpur, District Jalandhar.

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. Tarsem Singh, S/o Sh.Nishan Singh,
Roj Avenue, Chamiari
Road, Ajnala, Amritsar .

...Appellant

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. 3057 of 2019

**PRESENT: Sh.Harjit Singh s/o Sh.Tarsem Singh for the Appellant
Sh.Aneeshdeep singh, Sr.Xen for the Respondent**

ORDER:

The appellant through RTI application dated 30.04.2019 sought information regarding copy of application form/request dated 25.08.2015 for electric connection No.A11SA441492M alongwith copy of bills issued and other information from the office of Addl. SE (Operational), PSPCL Division Ajnala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 20.05.2019 which took no decision on the appeal. After filing first appeal, the PIO sent a reply to the appellant vide letter dated 27.06.2019. On being not satisfied with the information, the appellant filed 2nd appeal in the Commission on 21.08.2019.

On the date of hearing on 30.12.2019, the representative appeared on behalf of the appellant informed that the PIO has not provided the complete information. The respondent was absent. The PIO was directed to relook at the RTI application and provide the complete information to the appellant within 10 days.

On the next date of hearing which was held on **17.03.2020**, the appellant claimed that the PIO has not provided the information. The respondent was absent on the 2nd consecutive hearing. The PIO-Addl. SE(Operational), PSPCL Division Ajnala was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit**. The PIO was again directed to provide the complete information within 10 days of the receipt of this order.

On the date of hearing again on 04.08.2020, the appellant claimed that the PIO has not provided the information. The PIO-Additional SE (Operational) PSPCL, Division Ajnala was absent on 3rd consecutive hearing nor had filed reply to the show cause notice. To secure an erring PIO's presence before the commission the Information Commission, a bailable Warrant under section 18(3) of the RTI Act of the PIO-Additional SE (Operational) PSPCL, Division Ajnala was issued through Senior Superintendent of Police, Amritsar for his presence before the Commission on **15.09.2020**.

Appeal Case No. 3057 of 2019

On the date of hearing on **15.09.2020**, the respondent was present at Chandigarh and informed that the information has been provided to the appellant vide letter dated 03.09.2020 with a copy to the Commission. The Commission had received the copy of the information on 09.09.2020 which had been taken on the file of the Commission.

The appellant was not satisfied. Having gone through the information that had been provided and hearing both the parties, the following was concluded:

- | | | |
|-----------|---|--|
| - Point-1 | - | Information provided |
| - Point-2 | - | Information provided. Appellant not satisfied. The PIO to give in writing on an affidavit that the meter number was wrongly entered but the same has been corrected. |
| - Point-3 | - | PIO to give reply on an affidavit |
| - Point-4 | - | PIO to give reply on an affidavit |

The PIO submitted a reply to the show-cause notice which was taken on the file of the Commission. The decision on the show cause to be taken on the next date of hearing.

A copy of the order was sent to the Superintending Engineer, PSPCL Sub-urban, Circle Amritsar with the direction to enquire into the matter of mismatch of meter serial number and submit a detailed enquiry report to the Commission.

On the data of the hearing on **09.11.2020**, as per the appellant, the PIO had not provided the information. The PIO was absent nor had complied the order of the Commission.

It was also observed that respondent Sh.Gurmeet Singh was present in another appeal case No.909 of 2019 but had chosen not to appear in this particular case. Looking at the history of the case as well as the non-compliance of last order and the attitude of the respondent while disseminating information, it was clear that the respondent had willfully denied the information.

Since the appellant to collect the information had to suffer undue inconvenience, the PIO-Addl.SE(Operational) PSPCL Division Ajnala was directed to pay an amount of **Rs.3000/-** via demand draft as compensation to the appellant and submit proof of having compensated the appellant. The PIO was again directed to comply with the earlier order of the Commission. The decision on the show cause notice will be taken at the next date of hearing.

On the date of hearing on **09.03.2021**, due to non-functioning of the VC at DAC Amritsar, hearing could not take place. The case was adjourned.

On the date of hearing on **18.05.2021**, as per r representative of the appellant, the PIO neither provided the affidavit nor had paid compensation as per the order of the Commission.

The respondent informed that he had sent an affidavit to the Commission on 07.01.2021 and was having a copy of the same. The respondent provided a copy of the affidavit to the representative of the appellant. The respondent was assured to pay the compensation amount to the appellant within 2-3 days.

Appeal Case No. 3057 of 2019

The respondent was directed to pay the compensation amount to the appellant within a week and send compliance report to the Commission.

At the hearing, it also transpired that the respondent who had filed an affidavit to the show cause of 17.03.2020 was an APIO in this case.

The PIO, in this case, is Superintending Engineer (Operation), PSPCL, Sub-urban, Amritsar who never appeared nor had filed a reply for delay in providing the information. Since the onus to provide the information is on the PIO, the PIO-SE(Operation) PSPCL was issued a **show cause notice 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. The PIO was also directed to appear personally on the next date of hearing.

On the date of hearing on 31.08.2021, the respondent informed that the compensation amount has been paid to the appellant via DD No.150838 dated 21.05.2021 and the appellant has received the same.

The appellant informed that the PIO has neither provided complete information nor an affidavit as per order of the Commission. The PIO assured to sort out all the discrepancies in the information/provide an affidavit within a week.

The PIO however, did not file reply to the show cause notice for which the PIO was given one last opportunity.

Hearing dated 29.03.2022

The case has come up for hearing today through video conferencing at DAC Amritsar. The respondent present pleaded that pursuance to earlier order of the Commission, affidavit filed by the PIO was sent to the Commission on 01.09.2021 and a copy of the same has been sent to the appellant by registered post on 16.09.2021.

As per the appellant he has not received the original affidavit from the respondent PIO.

The PIO is directed to provide fresh affidavit to the appellant as per earlier order and send a copy to the Commission. The PIO is also directed to file reply to the show cause notice within 3 days otherwise it will be presumed that the PIO has nothing to say on the matter and the commission will take penal action against the PIO under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **04.04.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated :29.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: Superintending Engineer, PSPCL Sub-urban, Circle Amritsar