

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
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Sh. Harpal Singh, S/o Sh Arjan Singh.
Village Zahadpur, P.O Jaito, Sarja,
Tehsil Batala, Distt Gurdaspur.

... Appellant

Versus

Public Information Officer,
O/o Tehsildar, Batala,
Distt Gurdaspur

First Appellate Authority,
O/o Tehsildar, Batala,
Dist Gurdaspur.

...Respondent

Appeal Case No. 216 of 2019

PRESENT: Sh.Harpal Singh as the Appellant
Sh.Manjinder Singh, Panchayat Secretary O/o BDPO Batala for the
Respondent

ORDER:

The appellant through RTI application dated 15.10.2018 has sought information regarding number of ponds in village Jahidpur and inside and outside redline and other information concerning the office of Tehsildar Batala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 16.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant. The appellant is not satisfied and stated that information is neither provided from the office of Tehsildar nor is it certified by the Tehsildar. The respondent stated that appellant had filed RTI Application with the office of Tehsildar Batala which transferred the same to BDPO Batala and the information was collected from the office of Tehsildar and sent to the appellant.

Having gone through the information and hearing both the parties, the Commission directs the respondent to inform total number of ponds in the village, highlight the same and provide the information duly certified by BDPO under the RTI Act. The information be provided within 10 days.

The case is adjourned. To come up for compliance on **02.07.2019 at 11.00 AM** through video conference facility available in the **office of DC Gurdapur**. The copies of the order be sent to both the parties through registered post.

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Deepak Kurmi, S/o Sh Nathu Ram,
B-85, Thermal Colony, GNDTP,
Bathinda.

... Appellant

Versus

Public Information Officer,
O/o SDM, Batala,
Distt Gurdaspur.

First appellate Authority,
DC,
Gurdaspur.

...Respondent

Appeal Case No. 222 of 2019

PRESENT: None for the Appellant
Sh.Sukhvinder Singh, Office Kanoongo O/s SDM Batala for the REspondent

ORDER:

The appellant through RTI application dated 04.07.2018 has sought information regarding order of FRC in ROR 568 of 2010 dated 22.07.2015(Nathu Ram vs Govt of Punjab), list of dates of hearing, copy of appeal and other information concerning the office of SDM Batala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 10.08.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 24.04.2019 and a copy of the same is submitted to the Commission. The appellant is absent and vide email has sought adjournment.

Having gone through the information, the Commission observes that the information has been provided on points 1 & 2 as per the RTI application. The PIO is directed to provide information on point-3. The appellant is given one more opportunity to point out the discrepancies, if any.

The case is adjourned. Both the parties to be present on **22.05.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Sukrit Sharda,
50/186, Old Shahpur Road,
Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN, Construction Division No-1,
PWD B&R Branch, Amritsar.

First Appellate Authority,
SE, Construction Circle,
PWD B&R Branch, Amritsar.

...Respondent

Appeal Case No. 224 of 2019

PRESENT: None for the Appellant
Sh.Hardeep Singh, Sr. Assistant O/o EE Construction Div. No.1 PWD(B&R)
Amritsar for the Respondent

ORDER:

The appellant through RTI application dated 24.09.2018 has sought information regarding bank accounts, statement of all developmental funds of different agencies/departments under various heads of accounts in different public & private sector banks maintained for the period from 1.04.2017 to 31.08.2018 concerning the office of Executive Engineer, Construction Division No.1, PWD (B&R) Amritsar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 07.11.2018 which took no decision on the appeal.

The appellant is absent and vide letter received in the Commission on 25.04.2019 has sought informed that PIO has not provided the information. The Commission has received a letter diary No.6849 on 02.04.2019 from the PIO stating that they have sent reply to the appellant on 26.10.2018 and again on 26.12.2018.

Having gone through the reply of the PIO, the Commission observes that the PIO not only delayed the information but stonewalled the information by asking the appellant for reasons behind seeking the information. The RTI Act clearly states that an applicant making application for information is not required to give any reasons for requesting the information or any personal details except those that may be necessary for contacting him.

The Commission finds gross negligence on the part of the PIO and hereby show cause the PIO **why penalty be not imposed on him under Section 20 of the RTI Act 2005 for denying the information on the pretext to ask the reasons behind seeking the information**, he 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 also directed to provide the information within 10 days and appear personally alongwith written reply on an affidavit on the next date of hearing.

To come up for further hearing on **10.06.2019 at 11.00 AM.**

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Sukrit Sharda,
50/186, Old Shahpur Road,
Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN, Construction Division No-2,
PWD B&R Branch, Amritsar.

First Appellate Authority,
SE, Construction Circle,
PWD B&R Branch, Amritsar.

...Respondent

Appeal Case No. 225 of 2019

PRESENT: None for the Appellant
Sh.Anurag Pusham, Divisonal Account Officer for the Respondent

ORDER:

The appellant through RTI application dated 24.09.2018 has sought information regarding bank accounts, statement of all developmental funds of different agencies/departments under various heads of accounts in different public & private sector banks maintained for the period from 1.04.2017 to 31.08.2018 concerning the office of Executive Engineer, Construction Division No.II, PWD (B&R) Amritsar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 07.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 01.01.2019. The Commission has received a letter diary No.8612 on 25.04.2019 from the appellant whereby the appellant has informed that he 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.**

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner



Sh. Sukrit Sharda,
50/186, Old Shahpur Road,
Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN, Construction Division No-1,
PWD B&R Branch, Jalandhar-1.

First Appellate Authority,
SE, Construction Circle,
PWD B&R Branch, Jalandhar.

...Respondent

Appeal Case No. 226 of 2019

PRESENT: None for the Appellant
Sh.Avtar Singh, SDE O/oXen Construction Div.No.1, PWD (B&R) Jalandhar
for the Respondent

ORDER:

The appellant through RTI application dated 14.09.2018 has sought information regarding bank accounts, statement of all developmental funds of different agencies/departments under various heads of accounts in different public & private sector banks maintained for the period from 1.04.2017 to 31.08.2018 concerning the office of Executive Engineer, Construction Division No.I, PWD (B&R) Jalandhar-1. The PIO vide letter dated 27.09.2018 returned the postal order to the appellant stating that the validity of postal order stands expired and to send requisite fee for getting the information, after which the appellant filed first appeal before the First Appellate Authority on 24.10.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant. The Commission has received a letter diary No.8609 on 25.04.2019 from the appellant whereby the appellant has informed that he 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.**

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner



Sh. Sukrit Sharda,
50/186, Old Shahpur Road,
Pathankot.

... Appellant

Versus

Public Information Officer,
O/o XEN, Construction Division No-2,
PWD B&R Branch, Kapurthala.

First Appellate Authority,
SE, Construction Circle-2,
PWD B&R Branch, Jalandhar.

...Respondent

Appeal Case No. 227 of 2019

PRESENT: None for the Appellant
Sh.Raman Kumar, SDE O/oXen Construction Div.No.1, PWD (B&R)
Jalandhar for the Respondent

ORDER:

The appellant through RTI application dated 24.09.2018 has sought information regarding bank accounts, statement of all developmental funds of different agencies/departments under various heads of accounts in different public & private sector banks maintained for the period from 1.04.2017 to 31.08.2018 concerning the office of Executive Engineer, Construction Division No.2, PWD (B&R) Kapurthala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 07.11.2018 which took no decision on the appeal.

The appellant is absent and vide letter received in the Commission on 25.04.2019 informed that the PIO has not supplied the information. The respondent present pleaded that since the information sought by the appellant is 3rd party information, it cannot be provided. However, the PIO has not responded to the RTI application.

The Commission observes that there is an enormous delay in attending to the RTI application and the PIO has denied the information on the pretext that the information is 3rd party without citing any rules/sections under the RTI Act. The Commission has taken a serious view of this and hereby directs the PIO to provide the information within 10 days and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. The PIO is also directed to be present personally on the next date of hearing alongwith the explanation on an affidavit.

Both the parties to be present on **10.06.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner



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

... Appellant

Versus

Public Information Officer,
O/o SDO, Provincial Sub Division,
PWD B&R, Kapurthala.

First Appellate authority,
SE, PWD B&R, Construction Circle No-2,
Jalandhar.

...Respondent

Appeal Case No. 229 of 2019

PRESENT: None for the Appellant
Sh.Harbhajan Singh, SDO for the Respondent

ORDER:

The appellant through RTI application dated 03.10.2018 has sought information regarding works undertaken/carried out during 01.10.2017 to 01.10.2018 and other information concerning the office of SDO Provincial Sub Division, PWD (B&R) Kapurthala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 17.12.2018. The Commission has received an email from the appellant whereby the appellant has informed that he has received the information.

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

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner



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

... Appellant

Versus

Public Information Officer,
O/o SDO, Construction Sub Division No-1,
PWD B&R, Kapurthala.

First Appellate authority,
SE, PWD B&R, Construction Circle No-2,
Jalandhar.

...Respondent

Appeal Case No. 230 of 2019

PRESENT: None for the Appellant
Sh.Harbhajan Singh, SDO for the Respondent

ORDER:

The appellant through RTI application dated 03.10.2018 has sought information regarding works undertaken/carried out during 01.10.2017 to 01.10.2018 and other information concerning the office of SDO Construction Sub Division No-1, PWD (B&R), Kapurthala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 11.12.2018. The Commission has received an email from the appellant whereby the appellant has informed that he has received the information.

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

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner



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

... Appellant

Versus

Public Information Officer,
O/o SDO,
Construction Sub Division,
PWD B&R, Palath, Dist Kapurthala.

First Appellate Authority,
O/o SE, PWD B&R,
Construction Circle NO-2,
Bathinda.

...Respondent

Appeal Case No. 232 of 2019

PRESENT: None for the Appellant
Sh.Harbhajan Singh, SDO for the Respondent

ORDER:

The appellant through RTI application dated 03.10.2018 has sought information regarding works undertaken/carried out during 01.10.2017 to 01.10.2018 and other information concerning the office of SDO, Construction Sub Division, PWD B&R, Palath, Dist Kapurthala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 11.12.2018. The Commission has received an email from the appellant whereby the appellant has informed that he has received the information.

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

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

Public Information Officer,
O/o XEN, Construction Division No-1,
PWD B&R, Kaputhala.

First Appellate Authority,
O/o SE,
PWD B&R Construction Circle-2,
Sangrur.

...Respondent

Appeal Case No. 233 of 2019

PRESENT: None for the Appellant
Sh.Harbhajan Singh, SDO for the Respondent

ORDER:

The appellant through RTI application dated 03.10.2018 has sought information regarding grants received/utilized during 02.10.2017 to 03.10.2018 and other information concerning the office of XEN, Construction Division No-1, PWD B&R, Kaputhala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 03.01.2019. The Commission has received an email from the appellant whereby the appellant has informed that he has received the information.

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

Sd/-

Chandigarh
Dated 29.04.2019

(Khushwant Singh)
State Information Commissioner