



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, Patiala.

...Respondent

**Appeal Case No. 3286 of 2019**

**PRESENT:**                **None for the Appellant**  
                                 **None for the Respondent**

**ORDER:**

This order may be considered in continuation to the earlier order.

The case was last heard on 24.12.2019. The respondent pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that the reply has not been given from the PIO of the office from which he has sought the information.

The PIO-Director Administration, PSPCL Patiala was directed to relook at the RTI application and respond all the points of the RTI application and provide the information as per available record. The PIO was also directed to be present on the next date of hearing.

**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. 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.

Sd/-

Chandigarh,  
Dated:29.05.2020

(Khushwant Singh)  
State Information Commissioner



Sh Iqbal Singh,  
Village Rasulpur, Tehsil Jagraon,  
Distt Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o SSP,  
Patiala.

**First Appellate Authority,**  
O/o DIG Police,  
Patiala.

...Respondent

**Appeal Case No. 3541 of 2019**

**PRESENT:   None for the Appellant**  
**Sh.Ramneek Singh, ASI for the Respondent**

**ORDER:**

The case was last heard on 22.01.2020. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 15.01.2020 and a copy of the same submitted to the Commission. The appellant was not satisfied and stated that the PIO has not provided the information as sought in the RTI application.

Having gone through the RTI application and the information that had been provided, the PIO was directed to relook at the RTI application and respond points 1,2 & 3 and provide the information as per the RTI Act. If the information does not exist, PIO to give in writing on an affidavit.

**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 respondent pleaded that the informant is ready but could not be sent due to non-availability of postal service in the lock down period. The respondent has assured to send the information to the appellant within a week.

The appellant is absent. The respondent is directed to contact the appellant on his mobile number and send a scanned copy of the information on his WhatsApp/email within a week with a copy to the Commission. If the information is not available, to give in writing on an affidavit.

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

**Chandigarh**  
**Dated 29.05.2020**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh Sukhchain Singh, s/o Sh Gurcharan Singh,  
Patti Mahian, Opp Water Tanki,  
VPO Bhawanigarh, Distt Sangrur.

... Appellant

Versus

**Public Information Officer,**  
O/o Punjab Pollution Control Board,  
Patiala.

**First Appellate Authority,**  
O/o Punjab Pollution Control Board,  
Patiala.

...Respondent

**Appeal Case No. 4435 of 2019**

**PRESENT: Sh.Baljinder Singh for the Appellant**  
**Sh.Simarpreet Singh, JE for the Respondent on Mobile W/S**

**ORDER:**

The case was last heard on 12.03.2020. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide whatever action has been taken on the complaint of the appellant.

Sh.Simarpreet Singh, JE appeared late and brought information. He was directed to send the information to the appellant through registered post. A copy of the information was attached with the order for the appellant.

**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 respondent present pleaded that the information has been supplied to the appellant. The representative appeared on behalf of the appellant informed that the copy of NOC issued to the school has not been provided. The respondent informed that NOC was not issued and no such information is available.

Having gone through the record, the Commission observes that the RTI application was filed on 31.07.2019 whereas the information has been provided with a delay of more than eight months. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

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 29.05.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

Sh. Om Parkash,  
Opposite Floating Restaurant,  
Sirhind Side, Mandi Gobindgarh,  
Distt Fatehgarh Sahib.

...Appellant

**Vs**

**Public Information Officer,**  
O/o Environment Engineer,  
Pollution control Board,  
Mandi Gobindgarh,  
Distt Fatehgarh Sahib.

**First Appellate Authority,**  
O/o Sr. Environment Engineer,  
Pollution Control Board,  
Zonal Officer-II, Patiala.

...Respondent

**Appeal Case .No. 4463 of 2019**

**PRESENT:**                      **Sh.Vishal Gupta, Advocate for the Appellant on Web-ex**  
   **None for the Respondent**

**ORDER:**

**Facts of the case:**

In this case, Sh.Sunder Pal Goyal R/o Mandi Gobindgarh through RTI application dated 02.02.2019 sought information i.e. photocopy of balance sheet of M/s Om Parkash Bansal Education & Social Welfare Trust, Mandi Gobindgarh for the financial year 2016-17 and 2017-18 from the office of Xen, Punjab Pollution Control Board, Mandi Gobindgarh. The PIO-Xen Punjab pollution Control Board sought consent of the said trust vide letter dated 06.03.2019 which objected to the supply of their information. The PIO denied the information and sent reply to the applicant vide letter dated 29.03.2019.

Since the information was not provided by the PIO, the information seeker Sh.Sunder Lal Goyal filed first appeal with the First Appellate Authority O/o Sr.Environment Engineer, Pollution Control Board, Zonal Office-II Patiala which transferred the RTI application of the applicant filed u/s 19(1) of the RTI Act, to M/s Om Parkash Bansal Education and Social Welfare Trust u/s 6(3) vide letter dated 01.08.2019/19.08.2010 with the direction to provide the information to the information seeker.

Now the said Trust M/s Om Parkash Bansal Education and Social Welfare Trust has filed second appeal in the Commission against the action of the Pollution Control Board giving the reference of section 19(3) of the RTI Act.

The case has come up for hearing before this bench today through video conference facility available in the office of Deputy Commissioner, Patiala.

Sh.Vishal Gupta, advocate present on behalf of the appellant Trust pleaded that the appellant is a society registered under the Societies Act, which does not fall within a definition of "public authority" as per definition of public authority under section 2(h) of the RTI Act since it does not in any manner is a body own control or financed by the appropriate government or is getting funding from the appropriate government in any manner and as such cannot be treated to be a public authority. The counsel has also cited some of the court judgements in this regard.

The respondent from Pollution Control Board is absent and vide email has sought adjournment.

Having gone through the record and hearing the counsel present on behalf of the Trust, I hereby remand this case back to the First Appellate Authority with the direction to consider the appeal case under section 2(h) as well as to follow the procedure as prescribed under the RTI Act. The First Appellate Authority to decide whether the Trust falls as a public authority by following the procedure under section 2(h) of the RTI Act. The said trust be also granted an opportunity to put forward its view as per provisions of the RTI Act as stated by the counsel during the hearing.

Secondly, If the First Appellate Authority does arrive at a decision that this trust falls within section 2(h), the Appellate Authority must follow the procedure for dissemination of third party information as per section 11 of the RTI Act.

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

**Chandigarh**  
**Dated 29.05.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

Sh. Om Parkash,  
Opposite Floating Restaurant,  
Sirhind Side, Mandi Gobindgarh,  
Distt Fatehgarh Sahib.

....Appellant

**Vs**

**Public Information Officer,**  
O/o Environment Engineer,  
Pollution control Board,  
Mandi Gobindgarh,  
Distt Fatehgarh Sahib.

**First Appellate Authority,**  
O/o Sr. Environment Engineer,  
Pollution Control Board,  
Zonal Officer-II, Patiala.

....Respondent

**Appeal Case .No. 4464 of 2019**

**PRESENT:** Sh.Vishal Gupta, Advocate for the Appellant on Web-ex  
None for the Respondent

**ORDER:**

**Facts of the case:**

In this case, Sh.Sunder Pal Goyal R/o Mandi Gobindgarh through RTI application dated 19.02.2019 sought information i.e. photocopy of trust deed, registration certificate and affidavit regarding M/s Om Parkash Bansal Education & Social Welfare Trust, Mandi Gobindgarh from the office of Xen, Punjab Pollution Control Board, Mandi Gobindgarh. The PIO-Xen Punjab pollution Control Board sought consent of the said trust vide letter dated 06.03.2019 which objected to the supply of their information. The PIO denied the information and sent reply to the applicant vide letter dated 29.03.2019.

Since the information was not provided by the PIO, the information seeker Sh.Sunder Lal Goyal filed first appeal with the First Appellate Authority O/o Sr.Environment Engineer, Pollution Control Board, Zonal Office-II Patiala which transferred the application of the applicant filed u/s 19(1) of the RTI Act to M/s Om Parkash Bansal Education and Social Welfare Trust u/s 6(3) vide letter dated 01.08.2019/19.08.2010 with the direction to provide the information to the information seeker.

Now the said Trust M/s Om Parkash Bansal Education and Social Welfare Trust has filed second appeal against the action of the Pollution Control Board giving the reference of section 19(3) of the RTI Act.

The case has come up for hearing before this bench today through video conference facility available in the office of Deputy Commissioner, Patiala.

Sh.Vishal Gupta, advocate present on behalf of the appellant Trust pleaded that the appellant is a society registered under the Societies Act, which does not fall within a definition of "public authority" as per definition of public authority under section 2(h) of the RTI Act since it does not in any manner is a body own control or financed by the appropriate government or is getting funding from the appropriate government in any manner and as such cannot be treated to be a public authority. The counsel has also cited some of the court judgements in this regard.

The respondent from Pollution Control Board is absent and vide email has sought adjournment.

Having gone through the record and hearing the counsel present on behalf of the Trust, I hereby remand this case back to the First Appellate Authority with the direction to consider the appeal case under section 2(h) as well as to follow the procedure as prescribed under the RTI Act. The First Appellate Authority to decide whether the Trust falls as a public authority by following the procedure under section 2(h) of the RTI Act. The said trust be also granted an opportunity to put forward its view as per provisions of the RTI Act as stated by the counsel during the hearing.

Secondly, If the First Appellate Authority does arrive at a decision that this trust falls within section 2(h), the Appellate Authority must follow the procedure for dissemination of third party information as per section 11 of the RTI Act.

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

**Chandigarh**  
**Dated 29.05.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

Smt Avtar Kaur, D/o Sh.Surinder Singh,  
Village Neelpur, Tehsil Rajpura,  
Distt Patiala. .

....Appellant

**Vs**

**Public Information Officer,**  
O/o SSP,  
Patiala.

**First Appellate Authority**  
O/o IGP, Patiala Range,  
Patiala.

.....Respondent

**Appeal Case .No. 4481 of 2019**

**PRESENT:** Smt.Avtar Kaur as the Appellant  
Sh.Ramneek Singh, ASI for the Respondent

**ORDER:**

The appellant through RTI application dated 20.06.2019 has sought information regarding enquiry report on FIR No.46 dated 27.02.2018 Police Station City Rajpura alongwith statement of witnesses and other informaon concerning the office of SSP Patiala. The appellant was not satisfied with the reply of the PIO dated 09.07.2019 after which the appellant filed first appeal before the First Appellate Authority on 22.08.2019 which took no decision on the appeal.

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 since the case after completion of enquiry report has been presented in the court, the appellant to get the information from the court. The appellant claims that they have checked from the Civil Court and as per information, the case for cancellation of FIR has not been presented in the court.

The respondent is directed to relook at the RTI application and if the information is in the custody of the police, the same be provided to the appellant within 10 days

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.

Sd/-

**Chandigarh**  
**Dated 29.05.2020**

**(Khushwant Singh)**  
**State Information Commissioner**



Sh.Jasbir Singh, S/o Sh Harbans Singh,  
Village Jalal Khera, P.O Sular ,  
Dist Patiala.

....Appellant

**Vs**

**Public Information Officer,**  
O/o SSP,  
Patiala.

**First Appellate Authority,**  
O/o SSP,  
Patiala.

.....Respondent

**Appeal Case .No. 4583 of 2019**

**PRESENT:** Sh.Jasbir Singh as the Appellant on W/S  
Sh.Ramneek Singh, ASI for the Respondent

**ORDER:**

The appellant through RTI application dated 16.09.2019 has sought information regarding FIR No.125 filed against Jasbir Singh and Harbans Singh on 07.08.2014 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 21.10.2019 which took no decision on the appeal.

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Patiala. The appellant claims that the PIO has not provided the information. The respondent present pleaded that since the case after completion of enquiry report has been presented in the court, the appellant to get the information from the court. The copy of FIR has been provided to the appellant.

The PIO-SSP is directed to relook at the RTI application and reply that under the RTI Act), under whose custody this information lies and how can the petitioner obtain it.

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.

Sd/-

**Chandigarh**  
**Dated 29.05.2020**

**(Khushwant Singh)**  
**State Information Commissioner**

Sh.Jasbir Singh, S/o Sh Harbans Singh,  
Village Jalal Khara, P.O Sular ,  
Dist Patiala.

.....Appellant

**Vs**

**Public Information Officer,**  
O/o SSP,  
Patiala.

**First Appellate Authority,**  
O/o SSP,  
Patiala.

.....Respondent

**Appeal Case .No. 4584 of 2019**

**PRESENT: Sh.Jasbir Singh as the Appellant on W/S**  
**Sh.Ramneek Singh, ASI for the Respondent**

**ORDER:**

The appellant through RTI application dated 16.09.2019 has sought information regarding copy of complaint No.1032 CPRC dated 07.06.2014 filed by Sh.Sohan Singh against Jasbir Singh and Harbans Singh 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 21.10.2019 which took no decision on the appeal.

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Patiala. The appellant claims that the PIO has not provided the information. The respondent present pleaded that since the case after completion of enquiry report has been presented in the court, the appellant to get the information from the court. The copy of FIR has been provided to the appellant.

The PIO-SSP is directed to relook at the RTI application and reply that under whose custody this information lies and how can the petitioner obtain it.

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.

Sd/-

**Chandigarh**  
**Dated 29.05.2020**

**(Khushwant Singh)**  
**State Information Commissioner**



Sh. Suresh Kumar, S/o Sh Jit Singh,  
Village Bathoi Khurd, P.O Karhali,  
Distt Patiala.

....Appellant

**Vs**

Public Information Officer,  
O/o CE, Enforcement,  
PSPCL, Patiala.

First Appellate Authority  
O/o CE, enforcement,  
PSPCL, Patiala.

....Respondent

**Appeal Case .No. 4495 of 2019**

**PRESENT: Sh.Suresh Kumar as the Appellant**  
**Sh.K.S.Anand , APIO for the Respondent on Mobile W/S**

**ORDER:**

The appellant through RTI application dated 0.09.2019 has sought information regarding action taken on the order dated 06.03.2019 passed by the State Information Commissioner Punjab and other information concerning the office of Chief Engineer, Enforcement, PSPCL Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.10.2019 which took no decision on the appeal.

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Patiala. The appellant claims that the PIO has not provided the information.

In the appeal case No.3913 of 2018, the Commission directed the Tehsildar to complete the enquiry at the earliest and submit verification report. The PIO was directed that once the verification report is received from the Tehsildar, the information be provided to the appellant within 7 days and a compliance report be sent to the Commission.

As per respondent, the report of Tehsildar has been received. The PIO is directed to clarify if the enquiry report has been completed as per previous order and if yes, the action taken report be sent to the appellant. If the action taken report does not exist, proper status of the matter be sent to the appellant within 7 days.

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

**Chandigarh**  
**Dated 29.05.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh. Jarnail Singh, S/o Sh Thakur Singh,  
R/o 23/14, Anand Nagar-B,  
Tripri, Patiala.

...Appellant

**Vs**

**Public Information Officer,**  
O/o SSP,  
Patiala.

**First Appellate Authority,**  
O/o IGP, Patiala Range,  
Patiala.

...Respondent

**Appeal Case .No. 4699 of 2019**

**PRESENT: Sh.Jarnail Singh as the Appellant**  
**Sh.Ramneek Singh, ASI for the Respondent**

**ORDER:**

The appellant through RTI application dated 21.06.2019 has sought information regarding action taken on his applications dated 16.07.2018 and 16.04.2018 sent to the office of Chief Minister, Punjab and other information concerning the office of Chief Minister, Punjab. The PIO O/o Chief Minister forwarded the same to Addl. Chief Secretary, Punjab, Department of Home on 26.06.2019 which further transferred it to the PIO-Director General of Police on 11.09.2019.

The RTI application was further transferred to the office of SSP Patiala for action on 17.09.2019. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 12.10.2019 which took no decision on the appeal. After filing first appeal, the PIO sent reply to the appellant vide letter dated 20.11.2019 stating that the enquiry is pending with SP-Head Quarter, the information cannot be provided.

The case has come up for hearing today through video conference facility available in the office of Deputy Commissioner, Patiala. The appellant claims that the PIO has not provided the information. The respondent present informed that the enquiry was conducted and the complaints of the appellant have been filed and the reply has been sent to the appellant on 22.02.2020.

The appellant wants the policy regarding stipulated time for competition of enquiry. The appellant has further stated that if there is any guideline which is available for disposal of complaints.

The PIO is directed that if such document exists, it may be provided to the appellant. If it does not exist, an appropriate reply be sent to the appellant within a week.

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

Sd/-

**Chandigarh**  
**Dated 29.05.2020**

**(Khushwant Singh)**  
**State Information Commissioner**