

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

... Appellant

Versus

Public Information Officer,
O/o Addl Chief Secretary,
Local Govt. Deptt., Pb, Chd.

First Appellate Authority,
O/o Chief Secretary,
Punjab, Chandigarh

.....Respondent

Appeal Case No. 1320 of 2020

PRESENT: Sh.Nitin Kumar as the Appellant
Sh.Sanjeev Kumar, Suptd. O/o Local Govt. for the Respondent (appeared late)

ORDER:

The appellant through RTI application dated 10.01.2020 has sought information regarding status of enquiry of Improvement Trust Kartarpur as per letter received from the office of D.G.Vigilance Punjab, Chandigarh – copy of all types of petty purchases done in Trust from 01.01.2014 to 18.11.2018 – list of tender work got done by trust 01.01.14 to 18.11.2018 from the office of Additional Chief Secretary Local Govt Department Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 09.03.2020 which took no decision on the appeal..

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant informed that he has received a letter dated 01.05.2020 from the PIO stating that since an inquiry is pending no documents can be provided. As per the appellant, the PIO has also not supplied the information on points b & c.

The appellant also stated that in an earlier RTI application, the Improvement Trust had supplied an affidavit that the information is not available in their office since the record had been handed over to the Punjab Vigilance Department because of an ongoing enquiry.

Having gone through the RTI application and its subsequent trail, it is observed that the appellant had filed the RTI application in the office of Chief Secretary, which transferred it to the Secretary Vigilance department Punjab, and the Vigilance office further transferred it to Additional Chief Secretary, Local Govt. Pb, Chandigarh. On 06.02.2020.

Sh.Sanjeev Kumar, PIO-Local Govt Department appeared late and informed that the enquiry is pending and the reply has been sent to the appellant.

Order

The respondent present is directed to look into the matter and report to the commission that under whose custody the information exists regarding points B & C (copy of all types of petty purchases done in Trust from 01.01.2014 to 18.11.2018 – list of tender work got done by trust 01.01.14 to 18.11.2018) . If the information is available in the custody of the vigilance office, the respondent is directed to procure it and provide the information to the appellant.

I do not find that providing information about points b &c will hamper the vigilance inquiry, though there is nothing on the file to establish that any such inquiring is pending.

The PIO-Vigilance office is directed to provide copies of points B & C (copy of all types of petty purchases done in Trust from 01.01.2014 to 18.11.2018 – list of tender work got done by trust 01.01.14 to 18.11.2018) to the respondent if it is in its custody. If the record is not in the custody of the vigilance department anymore, the Vigilance Department is directed to provide the noting through which the record has been handed back to the Improvement Trust.

The case is adjourned. To come up for further hearing on **07.12.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Amarjit Singh Dhamotia,
Whistle Blower, District President
Ludhiana, NCAG, H No-60-35-P-330,
Street No-8, Maha Singh Nagar,
P.O Dhandari Kalan, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Local Bodies, Sec-35-A,
Pb, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Local Bodies, Sec-35-A,
Pb, Chandigarh

.....Respondent

Appeal Case No. 1334 of 2020

PRESENT: Sh.Amarjit Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 27.01.2020 has sought information regarding name of officer to whom the enquiry report (sent by DC Ludhiana after getting enquiry conducted by SDM-West) was marked by Principal Secretary Local Bodies – statement of both parties & fact finding report of officer – fine recovered from illegal colony and other information concerning the office of Principal Secretary Local Govt Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 27.02.2020 which took no decision on the appeal..

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claims that the PIO has not provided the information.

The respondent is absent. The Commission has received a copy of letter dated 18.09.2020 through email from Assistant Town Planner(HQ) O/o Directorate Local Govt Department vide which the ATP has informed the appellant that since the information relates to the office of MC Ludhiana, the appellant to get the information from MC Ludhiana.

The PIO-Municipal Corporation, Ludhiana is impleaded in the case and directed to provide the information to the appellant which pertains to their office. A copy of the RTI application is being attached with the order for reference.

To come up for further hearing on **07.12.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana

Chandigarh
Dated 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-Municipal Corporation, Ludhiana

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Sh Gurwinder Singh,
H no-B-345186, Anand Nagar,
Street No-3, Haibowal Kalan,
Ludhiana.

Appellant

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

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

.....Respondent

Appeal Case No. 1419 of 2020

PRESENT: None for the Appellant
Sh.Rohit Kumar, Xen Water Supply and Sanitation for the Respondent

ORDER:

The appellant through RTI application dated 18.09.2019 has sought information regarding copy of allotment letter if any govt accommodation to the Xen in Ludhiana from 01.09.2018 to 31.08.2019 – payment of rent made if the accommodation is on rent – Headquarter of the Xen and other information concerning the office of Xen Water Supply & Sanitation Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 03.01.2020 which took no decision on the appeal..

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

The case is adjourned. To come up for further hearing on **07.12.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Gagandeep Singh Threke,
H No-208, Aryan enclave Main Sua Road,
Near Geeta Mandir Chowk, VPO Threke,
Ludhiana.

Appellant

Public Information Officer,
O/o Chief Vigilance Officer,
Local Govt Deptt, Sec-35-A,
Pb, Chandigarh.

First Appellate Authority,
O/o Chief Vigilance Officer,
Local Govt. Deptt, Pb.,
Sec-35-A, Chandigarh

.....Respondent

Appeal Case No. 1545 of 2020

PRESENT: Sh.Gagandeep Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 25.02.2020 has sought information regarding action taken on application dated 23.12.2019 – copy of order issued for deputing the employee of improvement trust Sh.Kuldeep Singh on construction site of house of Chairman Improvement Trust and other information concerning the office of Chief Vigilance Officer, Local Govt. Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 16.03.2020 which took no decision on the appeal..

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claims that the PIO has not provided the information.

The respondent is absent and vide letter received in the Commission on 23.09.2020, the PIO has informed that the enquiry is pending and the reply has been sent to the appellant vide letter dated 19.08.2020.

After going through the record, I am of the view that the appellant has not asked for the inquiry but merely asked that whatever action that has been taken from the date of complaint upto the date of filing RTI application. The PIO is directed to provide a copy of the proceedings on the noting on his complaint.

The case is adjourned. To come up for further hearing on **07.12.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Rohit Sabharwal,
Kundan Bhawan, 126.
Model Gram, Ludhiana.

Appellant

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

First Appellate Authority,
O/o Director,
Local Bodies, Sector-35-A,
Pb, Chandigarh

...Respondent

Appeal Case No. 1569 of 2020

PRESENT: Ms.Sukhjinder Kaur for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 14.01.2020 has sought information regarding copy of complete information generated in connection to the letter dated 22.10.2019 while taking action over the matter and as available on record and other information concerning the office of Director Local Govt. Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 27.02.2020 which took no decision on the appeal..

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent is absent. The Commission has received a copy of letter through email from the ATP O/o Director Local Govt vide which the PIO has informed the appellant that since the information relates to the office of MC Ludhiana, the RTI application has been transferred to them under section 6(3) and the appellant to get the information from MC Ludhiana.

The appellant claims that the ATP has transferred the RTI application to MC only on 22.09.2020.

The PIO-Local Govt Pb is directed to explain the reason for delay in transferring the RTI application.

The PIO-MC Ludhiana is impleaded in the case and directed to provide the information to appellant as per RTI application transferred by the Local Bodies within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **07.12.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-MC, Ludhiana.

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Sh Satinder Pal Singh,
Office Address # 890, Sector-70,
2nd Floor, Mohali

... Appellant

Versus

Public Information Officer,
O/o Under Secretary, Estt-1,
PSPCL, Focal Point, Ludhiana.

First Appellate Authority,
O/o Secretary, PSPCL,
Patiala

..... Respondent

Appeal Case No. 3800 of 2019

PRESENT: Sh.Satinder Pal Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 18.05.2019 has sought information regarding appointment of Kiranjeet Kaur d/o late Sh.Sukhdev Singh (Assistant Lineman) on compassionate ground vide letter memo No.7799 dated 15.09.2010 –documents submitted for appointment and other information concerning the office of Under Secretary, Estt-1, PSPCL, Focal Point, Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 26.06.2019 which took no decision on the appeal.

On the first date of hearing on 18.02.2020, none was present. The case was adjourned.

On the next date of hearing on **24.06.2020**, the appellant claimed that the PIO has not provided the information. The respondent was absent. Having gone through the file, the Commission observed that appellant had sought information on behalf of Ms.Kiranjit Kaur. However, there was nothing on record to establish that Ms.Kiranjit Kaur had authorized the appellant to pursue its case. The appellant was directed to produce an authorization from Ms.Kiranjit Kaur for pursuing the case on her behalf

Since there had been an enormous delay of more than one year in attending to the RTI application, the PIO was directed to provide the information and be present on the next hearing along with the explanation for not attending to the RTI application within the time prescribed under the RTI Act.

The case was last heard on **17.08.2020**, through video conferencing at DAC Ludhiana. Both the parties are absent. The Commission received an authority letter of Ms.Kiranjit Kaur via email authorizing Sh.Satinder Pal Singh to pursue her case which was taken on the file of the Commission. The appellant also informed that the PIO has not provided the information.

Since there had been an enormous delay of more than one year in attending to the RTI application, and PIO did not provide the information nor had appeared before the Commission, the PIO 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 and directed to file reply on an affidavit.** The PIO was also directed to appear personally before the Commission on the next date of hearing along with the written replies.

Hearing dated 29.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant informed that the PIO has not provided the information. The respondent is absent.

The Commission observes that the appellant to collect the information has had to suffer undue inconvenience, thus I find it to be a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO-Under Secretary, Estt.-1, PSPCL Focal Point, Ludhiana is directed to pay an amount of **Rs.3500/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant. The PIO is also directed to provide the information to the complainant within 10 days and appear personally on the next date of hearing.

At the last hearing, the PIO was issued a show cause notice for not attending to the RTI application within the time prescribed under the RTI Act and constant breakdown of the implementation of the RTI Act. The PIO was directed to file a written reply to the show cause notice on an affidavit. The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the order.

The PIO is absent on 4nd consecutive hearing nor has complied with the order of the Commission.

Keeping the above-mentioned facts of the case, it is clear that the PIO-Under Secretary, Estt.-1, PSPCL, Focal Point, Ludhiana is flouting the spirit of the RTI Act continuously. The PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders of the Commission.

To secure an erring PIO's presence before the commission the Information Commission is empowered to issue warrants to Under Section 18(3) of the RTI Act. Since the PIO, PSPCL Focal Point, Ludhiana is Superintending Engineer, PSPCL, Sarabha Nagar, Ludhiana, a bailable Warrant of the **PIO-cum-Superintending Engineer, PSPCL, Sarabha Nagar Ludhiana** is hereby issued through Senior Superintendent of Police, Ludhiana for his presence before the Commission on **26.10.2020**.

The case is adjourned. To come up further hearing on **26.10.2020 at 11.00 PM**.

Chandigarh
Dated: 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to Superintending Engineer, PSPCL,
Opp.PAU, Sarabha Nagar,
Ludhiana.

**BAILABLE WARRANT OF PRODUCTION
BEFORE
SHRI KHUSHWANT SINGH
STATE INFORMATION COMMISSIONER, PUNJAB AT
CHANDIGARH**

In case: Satinder Pal Singh V/s Public Information Officer-Under Secretary Estt.-1, PSPCL
Focal Point, Ludhiana

APPEAL CASE NO.3800/2019

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005

Next Date of Hearing :26.10.2020

To

The Senior Superintendent of Police, Ludhiana

Whereas PIO-cum-Superintending Engineer, PSPCL Sarabha Nagar, Ludhiana has failed to appear before the State Information Commissioner, Punjab despite the issuance of notice/summon in the above mentioned appeal case. Therefore, you are hereby directed to serve this bailable warrant to the PIO-cum-Superintending Engineer, PSPCL Sarabha Nagar, Ludhiana to appear before the undersigned at Red Cross Building, Near Rose Garden, Sector 16, Chandigarh on **26.10.2020 at 11.00 A.M.**

**Chandigarh
Dated: 29.09.2020**

**(Khushwant Singh)
State Information Commissioner**

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Sh.Jagmohan Singh,
334, G.T Road, Salem Tabri,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Sub Registrar (East),
Transport Nagar, Ludhiana.

First Appellate Authority,
O/o SDM,
Ludhiana (East)

..... Respondent

Appeal Case No. 660 of 2019

PRESENT: Sh.Jagmohan Singh as the Appellant
None for the Respondent

ORDER:

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

The case has been earlier heard on 27.03.2019, 22.08.2019, 28.11.2019, 27.01.2020, 24.06.2020 & 17.08.2020 On the hearing on **24.06.2020**, the respondent present pleaded that the information has already been supplied to the appellant. The appellant was not satisfied.

Having gone through the reply and hearing both the parties, the following was concluded:

- Point-1 - The respondent says that the sought information is available on the website of the department and the appellant can get the information from the Sewa Kendra by providing specific vasika numbers. The appellant is directed to get the information from Sewa Kendra by providing particular vasika numbers.
- Point-2 - As per respondent, no separate index for registration of agricultural property is prepared and the information is available on the website. The PIO to provide link and assist the appellant in getting the information from the website.
- Point-3 - The respondent says that no document is available. The PIO is directed to give this in writing on an affidavit that no such document is available. And If such letter exists, what action has been taken, And in persuasion of the letter received from the Govt of Punjab, if any list has been prepared, it be provided.

The case was last heard on **17.08.2020** through video conferencing at DAC Ludhiana. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was directed to comply with the earlier order of the Commission and provide the information to the appellant within 10 days otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Appeal Case No. 660 of 2019

Hearing dated 29.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claims that the PIO has not provided the information.

The respondent is absent nor has complied with the order of the Commission. 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 PIO is again directed to provide complete information to the appellant within 10 days of the receipt of order.

The case is adjourned. To come up for further hearing on **07.12.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Naresh Devgan Sharma,
Advocate, Chamber NO-702/2,
District Courts, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Commissioner of Police,
Ludhiana.

First Appellate Authority,
O/o Commissioner of Police,
Ludhiana

..... Respondent

Appeal Case No. 3877 of 2019

PRESENT: Sh.Naresh Devgan as the Appellant
Sh.Sukhjinder Singh, ASI for the Respondent

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

The case has already been heard on 28.11.2018, 15.01.2019, 12.02.2019, 26.03.2019, 22.08.2019, 28.11.2019, 19.12.2019, 24.02.2019 & 17.08.2019.

On the date of hearing on 19.12.2019, Sh.Pawandeep Singh, SI appeared on behalf of the PIO and pleaded that the appellant was asked to visit the concerned police station and get the information but the appellant has not come forward. The appellant informed that he had already submitted his observations to the PIO through email dated 15.11.2018 with a copy to the Commission and despite many visits, the PIO has not provided the complete information.

The Commission observed that there had been an enormous delay in providing the information and the PIO was dilly dallying the information, 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 complete information to the appellant within 15 days.

On the date of hearing on **24.02.2020**, the respondent submitted his reply which was taken on the file of the Commission. The respondent informed that the information has been provided to the appellant. The appellant was not satisfied and stated that the information provided is not relevant as he has asked for action taken on his applications sent to the PIO through email. Hearing both the parties, the Commission observed that the respondent needs more clarification from the appellant. The respondent was directed to visit the chamber of the appellant in District Court, Ludhiana on 25.02.2020 at 01.00 PM and get the clarification on the information sought by the appellant. The PIO was also directed to provide complete information as per the RTI application.

The respondent did not bring reply to the show cause notice. The PIO was given one last opportunity to submit reply to the show cause notice.

On the date of last hearing on **17.08.2020**, the respondent present pleaded that complete information has been provided to the appellant on 22.07.2020. The appellant was absent nor had pointed out any discrepancies. The case was adjourned.

Appeal Case No. 3877 of 2019

Hearing dated 29.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. As per respondent, the information has been provided. As per appellant, the information that has been supplied does not relate to the information that has been sought in the RTI application.

The PIO is directed to give in writing on an affidavit that whatever information has been provided is true, complete and no other information is available in the record.

A copy of the order is being sent to Deputy Commissioner of Police Ludhiana to look into the matter of the pending RTI application.

The PIO is also directed to file reply to the show cause notice.

The Commission observes that the appellant to collect the information has had to suffer undue inconvenience, thus I find it to be a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO-Commissioner of Police, Ludhiana is directed to pay an amount of **Rs.2500/-** via demand draft drawn through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

The case is adjourned. To come up for further hearing on **07.12.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Naresh Devgan Sharma,
Advocate, Chamber NO-702/2,
Distt Courts, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Commissioner of Police,
Ludhiana.

First Appellate Authority,
O/o Commissioner of Police,
Ludhiana

..... Respondent

Appeal Case No. 3878 of 2019

PRESENT: Sh.Naresh Devgan as the Appellant
Sh.Sukhjinder Singh, ASI for the Respondent

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

The case has already been heard on 28.11.2018, 15.01.2019, 12.02.2019, 26.03.2019, 22.08.2019, 28.11.2019, 19.12.2019, 24.02.2019 & 17.08.2019.

On the date of hearing on **19.12.2019**, the respondent pleaded that the appellant was asked to visit the concerned police station and get the information but the appellant did not come forward. The appellant informed that he has already submitted his observations to the PIO through email dated 15.11.2018 with a copy to the Commission and despite many visits, the PIO has not provided the complete information.

The Commission observed that there has been an enormous delay in providing the information and the PIO is dilly dallying the information, the PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to** file reply on an affidavit. The PIO was again directed to provide complete information to the appellant within 15 days.

On the date of hearing on **24.02.2020**, the respondent submitted his reply which was taken on the file of the Commission. The respondent informed that the information has been provided to the appellant. The appellant was not satisfied and stated that the information provided is not relevant as he has asked for action taken on his applications sent to the PIO through email. Hearing both the parties, the Commission observed that the respondent needs more clarification from the appellant. The respondent was directed to visit the chamber of the appellant in District Court, Ludhiana on 25.02.2020 at 01.00 PM and get the clarification on the information sought by the appellant. The PIO was also directed to provide complete information as per the RTI application.

The respondent did not bring reply to the show cause notice. The PIO was given one last opportunity to submit a reply to the show cause notice.

On the date of last hearing on **17.08.2020**, the respondent present pleaded that complete information has been provided to the appellant on 22.07.2020. The appellant was absent nor had pointed out any discrepancies. The case was adjourned.

Appeal Case No. 3877 of 2019

Hearing dated 29.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. As per respondent, the information has been provided. As per appellant, the information that has been supplied does not relate to the information that has been sought in the RTI application.

The PIO is directed to give in writing on an affidavit that whatever information has been provided is true, complete and no other information is available in the record.

A copy of the order is being sent to Deputy Commissioner of Police Ludhiana to look into the matter of this pending RTI application.

The PIO is also directed to file reply to the show cause notice.

The case is adjourned. To come up for further hearing on **07.12.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Rakesh Kumar,
Advocate, 8/237, Jagraon Road,
MandiMullanpur, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Director, Local Govt Deptt.
Municipal Bhawan, Plot N o-3,
DakshinMarg, Sector-35, Pb, Chadigarh.

First Appellate Authority,
O/o Director, Local Govt..
Deptt. Municipal Bhawan, Plot
N o-3, Dakshin Marg,
Sector-35, Chadigarh.

..Respondent

Appeal Case No. 640 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER: The appellant through RTI application dated 27.01.2020 has sought information on 09 points regarding resolution of MC, estimates, tenders invited and submitted, work permit released for laying 300 ft sewage lane and street on Sekhon street on College road, contractors/persons involved in laying the street, letter of permission and other information concerning the office of Director, Local Govt. Department, Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First appellate Authority on 30.01.2020 which took no decision on the appeal. The appellant had filed appeal under Life & Liberty. However, as per order of the Hon'ble CIC, the case is being considered under general category.

The case last came up for hearing on 17.08.2020 through video conferencing facility at DAC Ludhiana. Both the parties are absent.

The Commission has received a letter from Superintendent (Personnel Branch) O/o Director Local Govt. vide which they had asked the Executive Officer, NC Mullanpur Dakha to provide the information and attend hearing in the Commission. It appeared that the information was in the custody of Executive Officer, NC Mullanpur Dakha. The PIO- Estate Officer, NC Mullanpur Dakha was directed to look at the RTI application and provide the information as per the RTI Act. The case was adjourned.

Hearing dated 29.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant vide email has informed that the PIO has not provided the information.

The respondent is absent. The case is adjourned.

To come up for further hearing on **29.12.2010 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, **Ludhiana.**

Chandigarh
Dated: 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-Executive Officer,
Nagar Council,
Mullanpur Dakha (Ludhiana)



Sh. Harinder Kumar, S/o Lt ShShripal,
R/o H No-3485, Street NO-14, Near NavGyan School,
Goal Nagar, Haibowal Kalan,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Deputy Secretary,
PSPCL, Patiala.

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

.....Respondent

Appeal Case No. 2567 of 2019

PRESENT: Sh.Harinder Kumar as the Appellant
Sh.Jaswinder Singh, Dy.Chief Accounts Officer (Pension) PSPCL Patiala
for the Respondent

ORDER:

The case was first heard on 16.12.2019. The respondent present pleaded that the information has been provided to the appellant vide letter dated 23.05.2019. The appellant was not satisfied with the information regarding points-1 & 4. The respondent provided information on point-4 during the hearing. The respondent informed that the information regarding point-1 relates to the pension department.

The Chief Accounts Officer(Pension), PSPCL-Patiala was impleaded in the case and directed to provide the information on point-1 to the appellant. The information be provided within 15 days and send a compliance report to the Commission.

The case was again heard on **21.01.2020**. The appellant claimed that the PIO has not provided the information. The respondent from the office of Chief Accounts Officer(Pension), PSPCL Patiala was absent. The PIO- Chief Accounts Officer(Pension), PSPCL Patiala was given one last opportunity to comply with the earlier order of the Commission and provide the information on point-1 to the appellant within 10 days. The PIO was also directed to be present on the next date of hearing with the explanation for not complying with the order of the Commission.

The case was last heard on **24.06.2020**. The respondent pleaded that the information regarding point-1 relates to the pension department. The appellant claimed that the information that has been provided is incomplete and the PIO has not provided copy of complete pension file.

The PIO-O/o Chief Accounts Officer(Pension), was absent on 2nd consecutive hearing nor has complied with the order of the Commission. The PIO-O/o Chief Accounts Officer (Pension) was issued a **show cause notice and directed to file reply on an affidavit**. The PIO is again directed to provide the information to the appellant within 10 days.

Appeal Case No. 2567 of 2019

On the date of last hearing on 17.08.2020, the respondent present pleaded that the information has been provided to the appellant. The appellant claimed that the information that has been provided is not the copy of the complete pension file. As per discussion during the hearing, the PIO was directed to provide a copy of complete pension file to the appellant within a week.

The respondent submitted a reply to the show cause notice which was taken on the file of the Commission.

The Commission also observed that since the appellant had to suffer undue inconvenience to get the information, the PIO was directed to pay an amount of **Rs.2000/-** via demand draft as compensation to the appellant and inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

Hearing dated 29.09.2020:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent stated that the compensation amount of Rs.2000/- has been paid to the appellant. The appellant has received the compensation. The appellant further informed that he has inspected the record but the information on point-5 has not been provided.

As per respondent, the information on point-5 relates to their Establishment (Non-gazetted branch-2). The PIO-Dy. Chief Engineer (Personnel), PSPCL Patiala is directed to allow inspection of records regarding point-5 and provide the information. The PIO is ordered to contact the appellant on mobile No.98886-27135 for any clarification.

To come up for further hearing on **07.12.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO- Dy.Chief Engineer(Personnel), PSPCL Patiala to appear at Chandigarh.

Chandigarh
Dated: 29.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to 1. PIO-O/o Chief Accounts Officer(Pension),
PSPCL, Patiala.

2. PIO- Dy.Chief Engineer(Personnel),
PSPCL Patiala