

PUNJAB, STATE INFORMATION COMMISSION
Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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E-mail-Psicsic30@punjabmail.gov.in

Sh. Harminder Singh,
Chamber No-329, New District Courts,
Jalandhar

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
Add Chief Administrator,
GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 3270 of 2018

Present: None for the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 01.08.2018 has sought information regarding allotment of plot No.40, Block- D, Gali No.1, measuring 400 sq.yds in the name of Sh.Gurdev Singh s/o Sh.Payara Singh and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority 09.08.2018 which took no decision on the appeal.

Since both the parties are absent, in the interest of justice, one more opportunity is granted and the case is adjourned.

Both the parties to be present on **12.02.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Manjit Singh, S/o Sh Sohan Singh,
H No-388/3, Bahera Road, Patiala.

... Appellant

Versus

Public Information Officer,
O/o DGP,
Punjab, Chandigarh.

First Appellate Authority,
DGP,
Punjab, Chandigarh.

...Respondent

Appeal Case No. 3325 of 2018

Present: None for the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 22.06.2018 has sought information regarding method of enquiry on the complaints received from different districts against the police officials and the rule under which re-enquiry was conducted by the concerned districts alongwith other information concerning the office of DGP Punjab, Chandigarh. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority 30.07.2018 which took no decision on the appeal.

The appellant is absent and vide letter received in the Commission on 01.01.2019 has sought adjournment. The respondent is also absent without intimation to the Commission.

Since both the parties are absent, in the interest of justice, one more opportunity is granted and the case is adjourned.

Both the parties to be present on **12.02.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Surinder Pal Singh, S/o Sh Harbans Singh,
R/o H No-17/MCA-1373, Gali No-7,
Kartar Nagar, Chheharta, Distt Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Sub Division Officer,
Distribution, PSPCL, Sursingh,
Distt Tarn Taran.

First Appellate Authority,
O/o Chief Engineer/DS Border Zone,
PSPCL, Amritsar.

...Respondent

Appeal Case No. 3333 of 2018

Present: Sh.Surinder Pal Singh as Appellant
Sh.Manpreet Singh, Sr.Xen PSPCL Taran Taran for the Respondent

Order:

The appellant through RTI application dated 27.04.2018 has sought information regarding AP connection in the name of Smt.Gurmit Kaur w/o Sh.Mehar Singh, Bhuchar khurd and AP connection issued in the name of Sh.Sharanjit s/o Sh.Mehar Singh and other information concerning the office of SDO, Distribution, PSPCL Sursingh, Distt.Taran Taran. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority which took no decision on the appeal.

The respondent present has pleaded that the information has been provided to the appellant on 24.07.2018. The appellant 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.**

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
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Sh Vikram Vaid,
1527, Gali No-2,
Bagh Ramanand, Amritsar.

....Appellant

Versus

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

First Appellate Authority,
Commissioner of Police,
Ludhiana.

...Respondent

Appellant Case No. 3338 of 2018

Present: None for the Appellant
Sh.Ramesh Kumar, ASI O/o Commissioner of Police, Ludhiana for
the Respondent

Order:

The appellant through RTI application dated 21.05.2018 has sought information action taken on order/letter No.12124-55/CR-LA dated 28.11.2015 of the Director Bureau of Investigation in connection with violation of Punjab and Haryana High Court order dated 06.11.2012 on PMR/MLR alongwith details of violation cases and other information concerning the office of Commissioner of Police Ludhiana. The appellant was not the information after which he filed first appeal before the First Appellate Authority on 30.07.2018 which took no decision on the appeal.

The respondent present has informed that they have sent all the information to the appellant on 16.08.2018 except the information on points 3 & 4 which they will send before the next date of hearing. The appellant is absent and has asked for hearing through video conferencing in the office of DC Amritsar. The request is accepted and the case is adjourned.

Appellant to come up for further hearing **on 11.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Amritsar. The respondent to appear before the Commission at **Chandigarh**. Copies of the order be sent to the parties ***through registered post***.

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Vikram Vaid,
1527, Gali No-2,
Bagh Ramanand, Amritsar.

.....Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner of Police,
Amritsar

First Appellate Authority,
Commissioner of Police,
Amritsar.

...Respondent

Appellant Case No. 3340 of 2018

Present: None for the Appellant
Sh.Hira Lal, ASI O/o Deputy Commissioner of Police, Amritsar for
the Respondent

Order:

The appellant through RTI application dated 29.05.2018 has sought information on 16 points regarding handling of legal medical cases reported by medical authorities on the basis of MLR during investigation by police official while attending complaints filed by patient concerning the office of Deputy Commissioner of Police Amritsar. The appellant was not satisfied with the information provided by the PIO vide letter dated 07.07.2018 after which he filed first appeal before the First Appellate Authority on 23.07.2018 which disposed off the appeal on 06.09.2018 upholding the order of the PIO.

The respondent present pleaded that the information has already been provided to the appellant. The respondent has submitted a letter of the PIO dated 05.01.2019 which is taken on the file of the Commission. In the letter, the PIO has stated that they received the RTI application on 01.06.2018 through the office of Asstt. Inspector General of Police, Chandigarh-cum-PIO (Admn) and after collecting report from the concerned Police Officer, the reply was sent to the appellant vide letter dated 07.07.2018. The appellant was informed that the information sought is not available in their record.

The PIO has further stated in the letter that after the receipt of notice of the Commission, the information was again called from the concerned police officer, Police Kotwali, Amritsar and the following reply was sent to the appellant:

1. The information regarding points 1,2,3,5,6,7,11 &12 is not available in their record;
2. The information regarding points 4, 15 & 16 is available on the public domain;
3. The information regarding points 9 & 10 are in question form;
4. The information regarding point No.13 does not relate to them.

The respondent further informed that the appellant has filed two more appeal cases No.1675 and 1678/2018 seeking similar information which are fixed for hearing before Sh.S.S.Channi, CIC.

Appellant Case No. 3340 of 2018

The appellant is absent and has asked for hearing through video conferencing in the office of DC Amritsar The request is accepted and the case is adjourned.

To come up for further hearing **on 11.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Amritsar.. Copies of the order be sent to the parties ***through registered post.***

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Smt Paramjit Kaur, W/o Sh Joginder Singh,
R/o Kalyan Vihar, Gill road,
Moga.

.....Appellant

Versus

Public Information Officer,
O/o Estate Officer, GMADA,
Sector-62, Mohali.

First Appellate Authority,
O/o Estate Officer, GMADA,
Sector-62, Mohali.

...Respondent

Appellant Case No. 3365 of 2018

Present: None for the Appellant
Sh.Gurmukh Singh, APIO GMADA Mohali for the Respondent

Order:

The appellant through RTI application dated 12.08.2016 has sought information regarding draw of plot against application no.113740 in ECO city and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 04.06.2018 which took no decision on the appeal.

The respondent present has informed that the information has been provided to the appellant vide letter dated 28.12.2018. The respondent on being asked the reasons for enormous delay in providing the information, stated that they received the RTI application alongwith the notice of the Commission and they do not know why the RTI application was not attended to by the earlier PIOs. The Commission has taken a serious view of this and directs the PIO to provide a detailed report into the delay of handing this RTI and fix accountability of the PIOs previous or the present responsible for delay in attending to this RTI application. The enquiry report be submitted on the next date of hearing.

To come up on **25.02.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Prem Kumar Rattan,
H o-78/8, Park Road,
New Mandi, Dhuri,
Dist Sangrur.

...Appellant

Versus

Public Information Officer,
O/o Deputy Chief Engineer,PSPCL,
Distribution Circle,
Bathinda.

First Appellate Authority,
O/o Chief Engineer,
Distribution West Zone,PSPCL,
Bathinda.

...Respondent

Appellant Case No. 3373 of 2018

Present: None for the Appellant
Sh.Parampal Singh, Xen, PSPCL Mansa for the Respondent

Order:

The appellant through RTI application dated 28.05.2018 has sought information regarding total number of connections provided as per record in the year 2009-10 during the work order given to the different companies/contractors from the Xen Mansa and other information concerning the office of Deputy Chief Engineer, PSPCL, Distribution Circle, Bhatinda. The appellant was not provided the information after which he filed first appeal with the First appellate Authority on 28.06.2018 which disposed off the appeal on 21.08.2018.

The respondent present has pleaded that the information has already been provided to the appellant. The respondent further claimed that 2 points of the RTI application have already been addressed in appeal case No.3534 of 2017 which was disposed off by Sh.Avtar Singh Kler,SIC vide their office letter No.19012 dated 24.05.2018 when the appellant had expressed his satisfaction. Regarding point No.3, the appellant was asked to come for inspection since the record is of fragile nature and cannot be Xeroxed again and again being on thin & old paper.

The appellant is absent to plead his case and sought exemption for personal appearance. The appellant vide email has also denied having received the information earlier.

The case is adjourned. To come up for further hearing **on 11.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, **Bhatinda**. Copies of the order be sent to the parties ***through registered post***.

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Prem Kumar Rattan,
H o-78/8, Park Road,
New Mandi, Dhuri,
Dist Sangrur.

...Appellant

Versus

Public Information Officer,
O/o Deputy Chief Engineer,PSPCL,
Distribution Circle,
Bathinda.

First Appellate Authority,
O/o Chief Engineer,
Distribution West Zone, PSPCL,
Bathinda.

...Respondent

Appellant Case No. 3383 of 2018

Present: None for the Appellant
Sh.Uttam Bansal, Xen, PSPCL Budhlada for the Respondent

Order:

The appellant through RTI application dated 28.05.2018 has sought information regarding total number of connections provided as per record in the year 2009-10 during the work order given to the different companies/contractors from the Xen Budhlada and other information concerning the office of Deputy Chief Engineer, PSPCL, Distribution Circle, Bhatinda. The appellant was not provided the information after which he filed first appeal with the First appellate Authority on 28.06.2018 which disposed off the appeal on 19.07.2018.

The respondent present has pleaded that the information has already been provided to the appellant. The respondent further claimed that 2 points of the RTI application have already been addressed in appeal case No.3531 of 2017 which was disposed off by Sh.Avtar Singh Kler,SIC 17.04.2018 when the appellant had expressed his satisfaction. Regarding point No.3, the appellant was asked to come for inspection since the record is of fragile nature and cannot be Xeroxed again and again being on thin & old paper.

The appellant is absent to plead his case and sought exemption for personal appearance. The appellant vide email has also denied having received the information earlier.

The case is adjourned. To come up for further hearing **on 11.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, **Bhatinda**. Copies of the order be sent to the parties ***through registered post***.

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Prem Kumar Rattan,
H o-78/8, Park Road,
New Mandi, Dhuri,
Dist Sangrur

Appellant.

Versus

Public Information Officer,
O/o Chairman, PSPCL,
Patiala.

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

...Respondent

Appeal Case No. 3385 of 2018

Present: None for the Appellant
Sh.Neeraj Kumar, UDC, O/o Chairman, PSPCL Patiala for the
Respondent

Order:

The appellant through RTI application dated 07.07.2018 has sought information regarding service tax deducted on any payments made by all the distribution circles of the PSPCL Punjab from the year 2010 till the date of RTI application and other information concerning the office of Chairman, PSPCL Patiala. The appellant was not provided the information after which he filed first appeal with the First appellate Authority on 10.08.2018 which took no decision on the appeal.

The respondent present has brought the reply whereby it is stated that since the information sought was concerning with the different distribution circles of the PSPCL, the Nodal Officer-cum-Chief Engineer transferred the RTI application vide letter dated 16.08.2018 to the concerned departments to provide the information. The information has already been sent to the appellant directly by the concerned departments. The respondent further informed that during this period, the appellant filed first appeal with the First Appellate Authority which after fixing two dates for hearing i.e. 31.10.2018 & 04.12.2018, where the appellant did not turn up, disposed off the appeal stating that the appellant is absent on both the hearings on 07.07.2018 and presuming that the appellant is satisfied with the information provided by the departments.

The appellant is absent and vide email has sought exemption for personal appearance. The appellant has further informed that the information has not been provided as per the RTI application.

The case is adjourned. Both the parties to be present **on 25.02.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Suba Singh,
Village Gawalia, P.O Dinanagr,
Distt Gurdaspur.

.... Appellant.

Versus

Public Information Officer,
O/o Addl SE, Operational,
(Rural Circle), PSPCL, Pathankot.

First Appellate Authority,
O/o SE, PSPCL,
Pathankot.

...Respondent

Appeal Case No. 3393 of 2018

Present: None for the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 11.05.2018 has sought information regarding action taken on the applications dated 22.11.2016, 9.12.2016, 09.02.2017, 03.04.2017, 08.05.2017 & 10.05.2017 and other information concerning the office of Addl. SE (Operational), Rural Circle, PSPCL, Pathankot. The appellant was not provided the information after which he filed first appeal with the First appellate Authority on 13.06.2018 which took no decision on the appeal.

Since both the parties are absent, in the interest of justice, one more opportunity is granted and the case is adjourned.

Both the parties to be present on **25.02.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Gurdip Singh, S/o Sh.Chanan Singh,
215-Ajit Nagar, Sultarnwind Road,
Amritsar.

... Appellant

Public Information Officer,
President, Chief KhalsaDiwan,
GT Road, Amritsar.

First Appellate Authority,
President, Chief KhalsaDiwan,
GT Road, Amritsar.

...Respondent

Appeal Case No.1362/2018

Present: Sh.Gurdip Singh as Appellant
Sh.Manish Prabhakar, advocate on behalf of the Respondent

ORDER:

The case was first heard on **20.06.2018**. Sh.Inderjit Singh, Under Secretary was present for the respondent

Sh.Inderjit Singh was directed to submit list of all properties against which the benefit of exemption in stamp duty has been availed and Govt land, if any, allotted on concessional rates to the Society or any other financial aid from the Government. He was also directed to submit copy of constitution under which act the society is registered, name and position of nominee of the State Govt or SGPC, if any, to the Commission before 25.7.2018 and be present on the next date of hearing.

The case was again heard on **01.08.2018**: The respondent was represented through their counsel Sh.Manish Parabhakar.

During the hearing, the appellant submitted certain more documents which he said were further evidences to establish his earlier point. which is that CKDCS is a regular beneficiary of government aid and hence its functioning should be made transparent. The evidences the appellant produced were taken on record.

In the **Interim Order**, apart from the documents asked in the previous hearing on 20.06.2018, the respondent was further directed to submit in writing (i) whether CKDCS has, for any of its institutions, ever been allotted free land, availed grants, grants-in-aid or concessions from the State Govt since independence (15th, August 1947). If so, it was directed to furnish full details of the all lands/plots allotted, and what stands on them as of August of 2018. If buildings have been constructed, what are they being used for?

(ii) The names of all the educational institutions, which are beneficiaries of grants, along with the amount in rupees each institute has received as well as the total percentage of the grant in the budget of these institutions.

(iii) Details of any other grants given by various governments from to time for the functioning of CKDCS.

The case again came up for hearing on **26.09.2018**. The counsel representing the Chief Khalsa Diwan Charitable Society did not bring the documents which were asked in the interim orders dated 20.06.2018 & 01.08.2018 but pleaded that the documents could not be submitted since the appellant has not provided the documents which the appellant has submitted before the Commission as evidences to establish his case that CKDCS is a public authority. The documents were provided to the advocate from the file of the Commission. The respondent was directed to submit the documents as per order dated 20.06.2018 and order dated 01.08.2018.

The case was last heard on **13.11.2018**. The order is reproduced hereunder:

“The counsel has not brought the documents as per previous orders. The counsel pleaded that due to sudden demise of the spouse of Sh.Narinder Singh Khurana who is holding office of the main authority, the documents could not be collected.

The Commission has taken a serious view of this delay-in-tactics and hereby grants one last opportunity to CKDCS to bring the record as per the previous orders which still stands.”

Hearing dated 07.01.2019:

The counsel representing the CKDCS has submitted an affidavit stating the following therein:

- i) that CKDCS has never been allotted free land or availed grants, grants in aid on regular basis from the State Govt. since independence 15.08.1947;
- ii) that no educational institution owned by CKDCS is beneficiary of grants;
- iii) that no substantial and regular grant has been given by the Govt. of State as well Centre for the functioning of CKDCS

The Commission finds that the affidavit is not in order and as per the order of the Commission. It is ambiguous, misleading and is a play of words and not a concrete submission of the information as desired by the Commission. The Commission directs the CKDCS to file fresh affidavit clarifying the following:

1. Details of each and every property against which the benefit of exemption in stamp duty has been availed and Govt land, if any, allotted on concessional rates to the Society or any other financial aid from the Government.
2. Whether CKDCS has, for any of its institutions, ever been allotted free land, availed grants, grants-in-aid or concessions from the State Govt since independence (15th, August 1947). If so, to furnish full details of the each and every land/plot allotted, and what stands on them as of August of 2018. If buildings have been constructed, what are they being used for?
3. The names of all the educational institutions, which are beneficiaries of grants along with the amount in rupees each institute has received as well as the total percentage of the grant in the budget of these institutions.
4. Details of any other grants given by various governments from to time for the functioning of CKDCS.”

Also submit copy of constitution under which act the society is registered, name and position of nominee of the State Govt or SGPC, if any, to the Commission.

Both the parties to be present on **25.02.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 07.01.2019

Sd/-
(Khushwant Singh)
State Information Commissioner