

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Sh Sh. Himanshu Raj,
102, Sector-10-A, Chandigarh.

... Appellant

Versus

Public Information Officer,
O/o Chief Secretary Office,
6th Floor, Punjab Civil Secretariat-1,
Sector-1, Chandigarh

...Respondent

Complaint Case No. 206 of 2019

PRESENT: None for the Complainant
Sh.Gulshan Kumar, PIO-GMADA for the Respondent

ORDER:

The complainant through RTI application dated 10.01.2018 has sought information regarding (1) number of files in different departments of Punjab pertaining to WWICS residential project namely Imperial Heights sector 115 (2) name of each and every file alongwith name of department and (3) copies of documents available on the said file including file notings and other information concerning the office of Chief Secretary Office, 6th Floor, Punjab Civil Secretariat-1, Sector-1, Chandigarh. The appellant had filed RTI application with the Chief Secretary Office which transferred it to the office of Additional Chief Secretary, Department of Housing and Urban Development vide letter dated 22.01.2018 u/s 6(3) which further transferred it to the Chief Administrator GMADA vide letter dated 01.02.2018. The complainant was not provided the information after which the complainant filed complaint in the Commission on 26.02.2019.

The respondent present pleaded that they have already sent reply to the complainant vide letter dated 08.05.2019 that GMADA has not granted any license to WWICS Estates Private Limited for setting up of a project in name of Imperial Heights in Sector 115 Mohali, The respondent further pleaded that since the complainant has asked for the information from different departments, the RTI application should have been transferred to the department of Local Bodies.

Having gone through the RTI application, the Commission observes that it is very difficult for a public authority to ascertain that in which department the information lies. The appellant is hereby directed to appear on the next date of hearing to plead his case and bring clarity on the information that he seeks.

The case is adjourned. To come up for further hearing on **22.07.2019 at 11.00 AM.**

Chandigarh
Dated 13.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Sewa Singh,
H No-2580/9, Oppo Ramnan Mahajan Gali,
Near Nath Mandir, Katran Khazana, Amritsar.
Appellant

Versus

Public Information Officer,
O/o Tehsildar, Gidderbaha,
Distt Sri Mukatsar Sahib.

...
...Respondent

Complaint Case No. 207 of 2019

PRESENT: Sh.Sewa Singh as the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 26.06.2018 has sought information regarding ancestral property of Sh.Rajvinder Singh Mann village Lal Bai and other information concerning the office of Tehsildar Gidderbaha. The complainant was not provided the information after which the complainant filed complaint in the Commission on 21.02.2019.

The complainant informed that the PIO has not provided the information. The complainant further pleaded that the information is required to defend and produce evidence in an ongoing litigation which pertains to his daughter in a dowry case.

The respondent is absent. The PIO is directed to look at the RTI application and provide the information to the appellant within 10 days. The information be sent through registered post.

The Commission observes that there has been an enormous delay in providing the information. The PIO is also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case is adjourned. To come up for further hearing on **10.06.2019 at 11.00 AM.**

Chandigarh
Dated 13.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Baldev Singh, S/o Sh Sarwan Singh,
R/o 302, Street NO-5, New Deep Nagar,
Civil Lines, Ludhiana. .

... Appellant

Versus

Public Information Officer,
O/o XEN, PSPCL,
Distribution Division, Batala.

First Appellate Authority,
O/o XEN, PSPCL,
Distribution Division, Batlala.

...Respondent

Appeal Case No. 543 of 2019

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

ORDER:

The appellant through RTI application dated 06.08.2018 has sought information regarding tubewell connection No.AP-29/1684 in nam of Sh.Gurdev Singh village Dyal Garh and other information concerning the office of Xen PSPCL Distribution Division Batala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 26.09.2018 which took no decision on the appeal.

The appellant informed that the PIO has not provided the information. The respondent is absent. The PIO is directed to provide the information to the appellant within 15 days and send a compliance report to the Commission.

The Commission observes that there has been an enormous delay in providing the information. The PIO is also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case is adjourned. To come up for further hearing on **22.07.2019 at 11.00 AM.**

Chandigarh
Dated 13.05.2019

(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Goel, S/o LtSh Jiwan Lal Goel,
R/o H No-3244, Sector-35-D, Chandigarh.

Appellant

Versus

Public Information Officer,
O/o GLADA,
Ludhiana.

First Appellate Authority,
O/o GLADA,
Ludhiana.

...Respondent

Appeal Case No. 590 of 2019

PRESENT: Ms.Navneet Kaur, Advocate for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 05.06.2018 has sought information on 9 points regarding action taken report on the complaint dated 11.03.2018 & 16.04.2018 & 18.04.2018 for action against the owner of House No.3492 Sector 32-A Chandigarh Road Ludhiana and other information concerning the office of GLADA Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 19.07.2018 which disposed off the appeal on 05.10.2018 with the direction to the PIO to provide the information.

The respondent is absent and vide letter received in the Commission today has sought exemption being on election duty. In the same letter, the respondent has informed that the information has been sent to the appellant vide letter dated 06.05.2019. The counsel representing the appellant informed that they have not received the information.

The Commission observes that there has been an enormous delay in providing the information. The PIO is also directed to resend the information to the appellant and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case is adjourned. To come up for further hearing on **22.07.2019 at 11.00 AM.**

Chandigarh
Dated 13.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Rajeev Kumar, S/o Sh Mohan Lal,
1886-35, Inder Nagri, Jalalabad (West),
Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o Deputy Chief Engineer,
D S Circle, PSPCL, Ferozepur.

First Appellate Authority,
O/o Deputy Chief Engineer,
D S Circle, PSPCL, Bathinda.

...Respondent

Appeal Case No. 620 of 2019

PRESENT: Sh.Rajeev Kumar as the Appellant
Sh.Kuldeep Verma, Addl. SE, PSPCL Jalalabad for the Respondent

ORDER:

The appellant through RTI application dated 05.11.2018 has sought information regarding electricity theft cases in City Sub Division Jalalabad from April 2017 to Oct 2018 and other information concerning the office of Deputy Chief Engineer, D S Circle, PSPCL, Ferozepur.. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 17.12.2018 which disposed off the appeal 10.01.2019 on the findings that the information has been provided to the appellant by the PIO on 08.01.2019.

The respondent present informed that since the information is 3rd party information information, it cannot be provided u/s 8(c) of the RTI Act and the reply has been sent to the appellant vide letter dated 06.12.2018 and again on 08.01.2019. The First Appellant Authority has also disposed off the appeal upholding the PIO's view.

The Commission observes that the PIO while invoking section 8(c), has not cited any valid reasons for denial of the information. The First Appellate Authority has also not gone through the RTI and disposed off the appeal passing ambiguous order that the information has been provided. The Commission overrules the PIO's stance that the information is 3rd party and directs the PIO to provide the information and justify on an affidavit the reasons for invoking section 8(c) and the logic behind it.

The case is adjourned. To come up for further hearing on **22.07.2019 at 11.00 AM.**

Chandigarh
Dated 13.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Pawan Kumar, S /o Sh Birbal,
Tilak Nagar, Street No-8,
Sri Mukatsar Sahib..

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 626 of 2019

PRESENT: None for the Appellant
Sh.Ravi Vasudeva, Dy.Manager, HR O/o CE-HRD, PSPCL Patiala for the
Respondent

ORDER:

The appellant through RTI application dated 04.10.2018 has sought information regarding recruitment of Sh.Surinderpal Singh s/o Jagir Singh Roll No.4208 (DOB 01.05.1971) as AE under SC category by the PSPCL in 1998-99 and other information concerning the office of Deputy Secretary Head Office PSPCL Patiala. The appellant was denied the information by the PIO vide letter dated 02.01.2019 stating that the information is 3rd party and the 3rd party has not given his consent, after which the appellant filed first appeal before the First Appellate Authority on 24.11.2018 which disposed off the appeal upholding the PIO's view.

The respondent present pleaded that since the information is 3rd party and the 3rd party has not given his consent, it cannot be provided. The appellant is absent and vide email has sought exemption.

Since the information pertains to the educational record of Sh.Surinder Pal Singh, Sh.Surinder Pal Singh is impleaded in the case and is directed to be appear before the Commission on the next date of hearing and plead his case.

The case is adjourned. To come up for further hearing on **22.07.2019 at 11.00 AM.**

Chandigarh
Dated 13.05.2019

(Khushwant Singh)
State Information Commissioner

CC to :Sh.Surinder Pal Singh,
Addl.Executive Engineer, Distribution Division,
PSPCL Badal.

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

... Appellant

Versus

Public Information Officer,
O/o XEN, Enforcement,
PSPCL, Khanna, Distt Ludhiana.

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

...Respondent

Appeal Case No. 650 of 2019

PRESENT: None for the Appellant
Sh.Balbir Singh, Sr.Xen, Enforcement, PSPCL Khanna for the Respondent

ORDER:

The appellant through RTI application dated 31.10.2018 has asked the public authority to inform that which information does not come under the purview of the RTI Act that he had sought from 01.04.2018 to 01.10.2018 and other information concerning the office of XEN, Enforcement, PSPCL, Khanna, Distt Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 24.12.2018 which took no decision on the appeal.

The respondent present pleaded that they received the RTI application on 02.11.2018 and since the information sought by the appellant was not specific, the postal order of the appellant was returned vide letter dated 09.11.2018 and the appellant was asked to specify the information that he wants. The appellant was also asked to appear before the First Appellate Authority vide letters dated 29.01.2019, 27.02.2019 & 25.03.2019 and specify the information. However, the appellant did not turn up.

The appellant is absent and vide email has sought exemption. I have gone through the RTI application and find it to be wishy washy and not in sync with what is described as information under section 2(f) of the RTI Act. I find the application ambiguous, and that it serves no public interest and is a time waste of the public authority.

The appeal is hereby **dismissed and disposed off.**

Chandigarh
Dated 13.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Simranjit Singh, S/o Sh Jagdish Singh,
93/2, Adarsh Nagar, Jalandhar.

... Appellant

Versus

Public Information Officer,
O/o Jalandhar Development Authority,
Jalandhar.

First Appellate Authority,
O/o Jalandhar Development Authority,
Jalandhar.

...Respondent

Appeal Case No. 653 of 2019

PRESENT: Sh.Simranjit Singh as the Appellant
None for the REspondent

ORDER:

The appellant through RTI application dated 21.11.2018 has sought information on 7 points regarding commercial building plans approved, 6th category building passed and other information concerning the office of JDA Jalandhar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 22.12.2018 which took no decision on the appeal.

The respondent is absent. The Commission has received a letter diary No.8586 on 25.04.2019 from the PIO stating that since the information sought by the appellant was not specific and that the appellant was asked vide letter dated 10.01.2019 to clarify for which area/site the information is required, but the appellant has not responded to their query.

I have gone through the RTI application and recommend the appellant to make this RTI application more specific to enable the PIO to send desired reply. The PIO is directed to look at this clarification once submitted and provide the information.

The case is adjourned. To come up for further hearing on **02.07.2019 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Jalandhar. The order be sent to both the parties *through registered post*.

Chandigarh
Dated 13.05.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Bhupinder Singh, S/o Sh Sh Dhian Singh,
1-2 Fateh Singh Colony, Main Bharariwal Road,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o SE, HQ/Admin Border Zone,
PSPCL, Amritsar.

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

...Respondent

Appeal Case No. 680 of 2019

PRESENT: Sh.Bhupinder Singh as the Appellant
Sh.Sandeep Kumar, Asstt.Accounts Officer, PSPCL Amritsar for the
Respondent

ORDER:

The appellant through RTI application dated 31.08.2018 has sought information regarding action taken report on the complaint dated 25.06.2018 alongwith present status and other information concerning the office of SE, HQ/Admin Border Zone, PSPCL, Amritsar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 11.10.2018 which took no decision on the appeal.

The respondent present pleaded that the information concerning them has been provided to the appellant vide letter dated 28.11.2018 and for remaining information which relates to the Nodel Officer, RTI Cell, Head Office, Patiala, they have asked the Nodel Officer PSPCL Patiala to provide the information concerning them to the appellant.

The PIO-cum-Nodel Officer, RTI Cell, PSPCL Patiala is directed to look at the RTI application and provide the remaining information to the appellant within 15 days. The PIO is also directed to reply why the information was not provided after the First Appellate Authority ordered to provide the information.

The case is adjourned. To come up for further hearing on **23.07.2019 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar. The order be sent to both the parties through **Registered post. The PIO-cum-Nodel Officer, RTI Cell, PSPCL Patiala to appear at Chandigarh.**

Chandigarh
Dated 13.05.2019

(Khushwant Singh)
State Information Commissioner

CC to PIO-cum-Nodel Officer, RTI Cell
PSPCL Patiala.

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Sh. Narinder Kumar, S/o Sh Dalip Singh,
R/o Village Variam Khera, Tehsil Abohar,
Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Fazilka.

First Appellate Authority,
O/o IGP, Ferozpur Range,
Ferozpur.

...Respondent

Appeal Case No. 686 of 2019

PRESENT: Sh.Narinder Kumar as the Appellant
Sh.Dalip Singh, ASI O/o SSP Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 13.10.2018 has sought information regarding action taken report on his application dated 3.09.2018 in case No.222 dated 21.10.2007 u/s 302/342/148/149 IPC alongwith copy of compromise entered into between the parties and other information concerning the office of SSP Fazilka. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.12.2018 which took no decision on the appeal. After filing first appeal, the PIO vide letter dated 14.12.2018 sent the report of SHO Police Station Bahawawala dated 10.12.2018 whereby the SHO stated that the copy of the compromise can be taken from the Hon'ble Court.

The respondent present has brought the information and provided to the appellant. 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 13.05.2019

(Khushwant Singh)
State Information Commissioner