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Sh.Raghbir Singh, S/o Sh Daljit Singh, VPO Mauli Baidwan, Sector-80, Tehsil & Distt SAS Nagar.

....Appellant

Versus

Public Information Officer, O/o Estate Officer, GMADA, Mohali.

First Appellate Authority, O/o GMADA, Mohali.

...Respondent

Appellant Case No. 108 of 2019

PRESENT: Sh.Raghbir Singh as the Appellant

Ms.Gagandeep Kaur, Sr.Assistant-Account Branch for the Respondent

ORDER: The case was first heard on **08.04.2019.** The respondent present pleaded that the information has been provided to the appellant vide letter dated 14.08.2018. The appellant was not satisfied with the information regarding points c, d & e. The Commission directed the PIO to provide the information on points-c & d. The PIO was also directed to clarify point-e.

The case was again heard on **29.05.2019.** The respondent brought the information on point-c and handed over to the appellant. Regarding points-d & e, the respondent pleaded that the record has to be obtained from the concerned bank and as soon as the information is received from the bank, the same will be supplied to the appellant. The PIO was directed to check the record from the bank and provide the information to the appellant before the next date of hearing.

The case was again heard on **06.08.2019.** The appellant claimed that the PIO has not provided the remaining information. The Commission received a letter diary No.12580 on 01.07.2019 from the PIO stating that they tried to get the record from the court and concerned bank but no record was made available. In the same letter, the PIO had asked the appellant to provide a copy of that voucher vide which the appellant had received the compensation, on the basis of which the department shall prepare and provide the information.

The appellant informed that he has already provided a copy of voucher to the PIO on 24.07.2019. The PIO was given one more opportunity and directed to provide the information as per earlier order which still stand.

The case was last heard on **06.11.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was given one last opportunity and directed to provide the information to the appellant otherwise the Commission will be constrained to issue a show cause notice under section 20 of the RTI Act.

Hearing dated 15.01.2020:

The respondent present pleaded that the information has been provided. 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**.

Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh Dated :15.01.2020

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Sh.Bhupinder Singh, S/o Sh Gurjail Singh, Village Bahmna Basti, Tehsil Samana. Distt Patiala.

... Appellant

Versus

Public Information Officer, O/o DC, Patiala.

First Appellate Authority, O/o Commissioner, Patiala Division, Patiala.

...Respondent

Appeal Case No. 411 of 2019

PRESENT: Sh.Bhupinder Singh as the Appellant

None for the Respondent

ORDER: The case was first heard on 29.07.2019. Having gone through the record, it was observed that the appellant had filed RTI application with DC office Patiala which forwarded it to the office of DDPO Samana and DDPO further forwarded the RTI application to the BDPO Samana. The respondent present from the office of BDPO Samana pleaded that the information does not pertain to them.

The case was sent back to the Deputy Commissioner, Patiala to ascertain the department under whose custody this particular information exists and directed them to look at the RTI application and provide the information as per the RTI Act.

The case was last heard on **04.11.2019.** The respondent present pleaded that the information has been supplied to the appellant. The appellant was not satisfied and stated that he has sought the copies of that letter/certificate through which the khasra numbers were allotted and the copy of Govt order/rule under which the PWD rest house was constructed.

The respondent stated that the information regarding point-1 is not available in their record and it might be available with the office of Director Land Records, Punjab, Kapurthala Road, Jalandhar. The respondent further stated that information regarding point-2 is also not available in their record and it may be available in PWD office. The PIO-Director Land Record, Kapurthala Road, Jalandhar and the PIO-PWD(B&R), Patiala were impleaded in the case and directed to look at the RTI application and provide the relevant information to the appellant.

Hearing dated 15.01.2020:

The appellant claims that no information has been provided to him. The PIO-Director Land Record, Kapurthala Road, Jalandhar and the PIO-PWD(B&R), Patiala are absent.

The PIO-Director Land Record, Kapurthala Road, Jalandhar and the PIO-PWD(B&R), Patiala are given one more opportunity to look at the RTI application and provide the information as per the RTI application and be present on the next date of hearing otherwise the Commission will be constrained to take action as per provisions of the RTI Act. A copy of the RTI application is enclosed with the order.

To come up for further hearing on 24.03.2020 at 11.00 AM.

Chandigarh Dated:15.01.2020 Sd/(Khushwant Singh)
State Information Commissioner

CC to:1. PIO-Director Land Records, Kapurthala Road, Jalandhar 2. PIO-PWD(B&R), Patiala

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Sh.Ramdhan Singh, S/o Sh Atma Singh, Village Todarwal, P.O Babarpur, Tehsil Nabha, Distt Patiala...

... Appellant

Versus

Public Information Officer, O/o SSP, Patiala.

First Appellate Authority,

O/o IGP, Zonal-1,

Patiala. ...Respondent

Appeal Case No.457 of 2019

PRESENT: Sh.Ramdhan Singh as the Appellant

Sh.Hakam Singh, ASI for the Respondent

by Sh.A.S.Chanduraian, State Information ORDER: The case was first heard Commissioner on 13.03.2019. Sh.Ajeet Singh, ASI and Sh.Sukhbahal Singh HC appeared on behalf of the respondent submitted a reply of the PIO dated 12.03.2019 stating therein that the information has been supplied to the appellant. The respondent handed over a copy of the information to the appellant during the hearing. The appellant was not satisfied and stated that the PIO has supplied incomplete information. The appellant was directed to file written submission regarding his grievances and the PIO was directed to remove the same.

The case was last heard by this bench on 29.07.2019. The respondent present pleaded that the information has been provided to the appellant. Sh.Akash Verma representing the appellant claimed that the information is incomplete. Having gone through the RTI application and hearing both the parties, the following was concluded:

Points-1, 4, 6 & 7 Provided

- Point-3 PIO to provide investigation report Point-5 PIO to provide relevant document

Point-2 The appellant has informed that the said tree was

> declared dangerous and an order was issued to cut the tree. The appellant to submit copy of that document. To be adjudicated on the next date of hearing.

The case was last heard on **06.11.2019**. Both the parties were absent. In the interest of justice, one more opportunity was granted and the case was adjourned with the directions to the PIO to comply with the earlier order of the Commission which still stands.

Hearing dated 15.01.2020:

The respondent present informed that the remaining information has been provided to the appellant. The appellant stated that he has not received the information on point-3 and is not satisfied with the reply relating to points 4 & 7. Hearing both the parties, the PIO is directed to provide/clarify the following:

Point-3 PIO to provide investigation report

PIO to give in writing that no arrest was made - Point-4

PIO to clarify this point Point-7

To come up for compliance on 24.03.2020 at 11.00 AM.

Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh Dated:15.01.2020

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Sh Vijay Kumar Kapur, # 2857, Sector-40-C, Chandigarh.

... Appellant

Versus

Public Information Officer, O/o Sub Divisional Officer, Electricity, PSPCL, Kurali.

First Appellate Authority, O/o Deputy Chief Engineer, Operational Circle, PSPCL, Ropar. .

...Respondent

Appeal Case No. 1430 / 2019 & 1431/2019

PRESENT: None for the Appellant

Sh.Randhir Singh, SDO-PSPCL Kurali for the Respondent

ORDER:

The case was first heard on **30.07.2019**. The respondent present pleaded that since they have not provided any electric connection to the Hollywood Heights's projects, no such information is available in their record, and they have already sent reply to the appellant vide letter dated 08.07.2019. The appellant was not satisfied.

Hearing both the parties, the Commission observed that the appellant is basically seeking the information that how, and under what rules an electric connection is being provided to this project. The PIO was directed to provide copies of estimates regarding installation of transformer and electric connection. The information be provided within 15 days and send a compliance report to the Commission.

During hearing, it came to the notice of the Commission that the appellant had filed another appeal case No.1431 of 2019 for seeking exactly the similar information to the Xen, PSPCL Kharar which was last heard on 08.07.2019 and adjourned for 30.07.2019. Both the cases were clubbed together.

The case was last heard on **06.11.2019.** The respondent present pleaded that in compliance with the order of the Commission, the information has been provided to the appellant. The appellant has received the information.

The information had been provided. However, the PIO did not submit reply to the show cause notice issued to the PIO on 08.07.2019 in appeal case No.1431/2019. The Commission directed the PIO to file a reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will penalize the PIO.

Hearing dated 15.01.2020:

The respondent has submitted an affidavit which is taken on the file of the Commission. The information stands provided. Having gone through the affidavit, I see no malafide on the part of the PIO in attending to the RTI application and hence drop the show cause. A copy of the affidavit is being attached with the order for the appellant.

No further course of action is required. The case is **disposed off and closed**.

Sd/(Khushwant Singh)
State Information Commissioner

Chandigarh Dated:15.01.2020

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Sh Sadhu Singh, S/o Sh Sajjan Singh, Village Rurka, P.O Dehlon, Distt Ludhiana.

... Appellant

Versus

Public Information Officer, O/o SHO, Police Station, Dehlon, Distt Ludhiana.

First Appellate Authority, O/o SHO, Police Station, Dehlon, Distt Ludhiana.

...Respondent

Appeal Case No. 1888 of 2018

Present: None for the Appellant

Sh.Ranjit Singh, ASI for the Respondent

Order:

The case was first heard by Sh.S.S.Channy, Chief Information Commissioner on 03.10.2018. The appellant claimed that the information has not been provided by the PIO. The respondent was absent. The PIO was directed to supply the information before the next date of hearing.

ON the next date of hearing which was held on 05.11.2018, both the parties were absent. Sh.Kulwant Singh, PIO Police Station, Dehlon, Ludhiana was issued a show cause notice and directed to send a reply and provide the requisite information, with a copy to the Commission. The case was again heard on 05.12.2018. The appellant was absent. Sh.Ranjit Singh, Head Constable appeared on behalf of the respondent and sought more time to enable them to supply the information. The PIO Sh.Kulwant Singh was again directed to file reply to the show cause notice.

The case was again heard on 05.02.2019. The appellant informed that the PIO has not provided the information. The respondent was absent nor sent any reply to the show cause notice. Sh.Kulwant Singh, PIO was given one more opportunity to supply the information and file reply to the show cause notice. However, in exercise of powers conferred under section 19(8)(b) of the RTI Act, a compensation of Rs.3000/- was awarded to the appellant to be paid by the public authority through a demand draft.

The case was further heard on 12.03.2019. The appellant informed that the PIO neither supplied the information nor paid compensation of Rs.3000/- The PIO was again directed to comply with the order of the Commission failing which action for imposing penalty will be taken ex-parte.

Appeal Case No. 1888 of 2018

The case was last heard by this bench on 30.10.2019. Sh.Kulwant Singh, SHO Dehlon and Sh.Ranjit Singh, ASI were present. Sh.Kulwant Singh pleaded that he was not the PIO at the time of filing RTI application and now has been transferred and posted at Fatehgarh Sahib. The respondent further informed that the record being more than 15 years old, is not traceable. The respondent however, did not submit reply to the show cause notice nor proof of compensation having been paid. Sh.Kulwant Singh, SHO-Dehlon was given one last opportunity to file reply to the show cause notice. The PIO concerned was directed to pay compensation amount of Rs.3000/- to the appellant through a demand draft and send a compliance report to the Commission.

Regarding the record missing, the Commission directed the PIO to conduct an enquiry into the matter and submit a detailed enquiry report.

Hearing dated 15.01.2020:

The appellant is absent. The respondent present has pleaded that the matter has been resolved with the appellant and has submitted a letter of the appellant stating that their family dispute has been resolved and he does not want to pursue the case further.

The respondent has submitted a copy of receipt of the post office as a proof of compensation amount of Rs.3000/- provided to the appellant through money order.

The respondent has also submitted an affidavit of Sh.Kulwant Singh, SHO-Dehlon which is taken on the file of the Commission. Having gone through the affidavit, I see no further course of action and dispose off the case.

The case is **disposed off and closed**.

Chandigarh Dated 15.01.2020 Sd/-(Khushwant Singh) State Information Commissioner

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Sh Ajitpal Singh, Room No-408/409, Shakti Sadan, Communication, T&C Cell, PSPCL, Jalandhar Versus **Public Information Officer,** O/o PSPCL, Patiala.

... Appellant

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

...Respondent

Appeal Case No. 2095 of 2019

PRESENT: Sh.Ajitpal Singh as the Appellant

Sh.Lalpreet Singh, Addl.SE, PSPCL Patiala for the Respondent

ORDER:

The appellant through RTI application dated 30.01.2019 has sought information regarding charge sheet No.107 dt.17.06.2009 based on revenue loss sheet for 88 illegal AP connection comprising noting files and other information concerning the office of PSPCL Patiala. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 18.03.2019 which took no decision on the appeal.

The case was last heard on 06.11.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant informed that he has received the information on points-a & b but the PIO has not provided the information on point-c. The respondent brought the information on point-c but the appellant was not satisfied and stated that the PIO is not providing the noting sheet through which the office has arrived at a formula for calculation of loss amount. The respondent stated that the information is not available with their office.

Hearing both the parties, the PIO was directed to look at point-c and respond to this query in an elaborate manner and if the information is not available, to give in writing on an affidavit that the information is not available in your record.

Hearing dated 15.01.2020:

The respondent says that the information regarding point-c is not available in their record and as per order of the Commission, has submitted an affidavit in this regard. The affidavit has been handed over to the appellant. The appellant has received the same.

No further course of action is required. The case is disposed off and closed.

Chandigarh
Dated 15.01.2020

Sd/-(Khushwant Singh) State Information Commissioner

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Sh Bhupinder kumar, # 138, Chhoti Baradari, Part-1, Jalandhar

... Appellant

Versus

Public Information Officer,

O/o Sr. Operation Construction and Industrial Area, PSPCL, Phase-8, Mohali.

First Appellate Authority,

O/o Chief Engineer, A.P.D.R.P, PSPCL- Patiala.

...Respondent

Appeal Case No. 2200 of 2019

PRESENT: None for the Appellant

Sh.Shaminder Singh-AEE,APDRP Cell-PSPCL Mohali for the Respondent

ORDER:

The appellant through RTI application dated 31.10.2018 has sought information on 12 points regarding booth No.193, Phase-10 near Sarao Hotel, Mohali comprising approval of work done as per drawing and specification, building map etc and other information concerning the office of Sr. Operation Construction and Industrial Area, PSPCL, Phase-8, Mohali. The appellant was not satisfied with the reply of the PIO dated 15.02.2019 after which the appellant filed a first appeal before the First Appellate Authority on 20.03.2019 which disposed off the appeal on 08.04.2019.

The case was last heard on 30.10.2019. The respondent present pleaded that the available information has been provided to the appellant and if there is any discrepancy in the information, they will resolve the same. The appellant had agreed for the same. The PIO was directed to relook at the RTI application and resolve the matter amicably.

Hearing dated 15.01.2020:

The respondent present pleaded that the complete information has been provided to the appellant and the matter has been resolved.

The appellant is absent nor has communicated any discrepancy. It is presumed that 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 15.01.2020

Sd/-(Khushwant Singh) State Information Commissioner

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Sh Ajitpal Singh, Room No-408/409, Shakti Sadan, Communication T&C Cell, PSTCL, Jalandhar.

... Appellant

Versus

Public Information Officer, O/o PSPCL, Patiala.

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

...Respondent

Appeal Case No. 2204 of 2019

Present: Sh.Ajitpal Singh as the Appellant

Sh.Mahinder Pal, Sr.Assistant, for the Respondent

Order:

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

The case was last heard on 30.10.2019. The respondent present pleaded that the available information has already been provided to the appellant. The appellant was not satisfied with the information regarding points 3 & 5 stating that the PIO is not providing the noting sheet through which the office has arrived at a formula for calculation of benchmark. The respondent stated there is no such formula available in their record.

Hearing both the parties, the PIO was directed to look at points 3 & 5 and respond to this query in an elaborate manner and if the information is not available, to give in writing on an affidavit that the information is not available in your record.

Hearing dated 15.01.2020:

The respondent has brought the information on point-5 and handed over to the appellant. The appellant has received the same and is satisfied. Regarding point-3, the respondent informed that the information is to be provided by Sh.Kamalpreet Singh, Dy Manager, Secret Cell, PSPCL Patiala.

The PIO-PSPCL, Secret Cell is directed to provide the information on point-3 and if the information is not available, to give in writing on an affidavit.

To come up for further hearing on 24.03.2020 at 11.00 AM.

Chandigarh Dated 15.01.2020 Sd/-(Khushwant Singh) State Information Commissioner

Note:Ms.Rajni, Sr.Assistant, PSPCL-Secret Cell appeared late and she was informed the status of the hearing.

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Sh Ramandeep Singh, Ward No-18, Street No-2, Kartar Nagar, Amloh Road, Khanna.

... Appellant

Versus

Public Information Officer,O/o Punjab Energy Development Agency,
Sector-33-D, Chandigarh.

First Appellate Authority, O/o Punjab Energy Development Agency, Sector-33-D, Chandigarh.

...Respondent

Appeal Case No. 2227 of 2019

PRESENT: Sh.Ramandeep Singh as the Appellant

None for the Respondent

ORDER:

The appellant through RTI application dated 11.03.2019 has sought information regarding solar plants/systems projects installed under the control of PEDA by M/s Sunlive Solar System Ludhiana and other information concerning the office of Punjab Energy Development Agency, Punjab Chandigarh. The appellant was denied the information by the PIO vide letter dated 10.04.2019 after which the appellant filed a first appeal before the First Appellate Authority on 04.05.2019 which took no decision on the appeal. After filing appeal, the PIO sent reply to the appellant vide letter dated 11.06.2019. On being not satisfied with the reply, the appellant filed 2nd appeal in the Commission on 24.06.2019.

The case was last heard on 04.11.2019. The respondent present pleaded that the since the information is 3rd party and the 3rd party has not given its consent to share their information, it cannot be provided. The appellant was absent and vide email sought exemption.

The 3rd party M/s Sunlive Solar System was impleaded in the case and directed to appear before the Commission on the next date of hearing and plead its case otherwise it will be presumed that they have nothing to say in the matter and the decision will be taken on the merits of the case.

Hearing dated 15.01.2020:

The respondent is absent. The 3rd party is also absent. One more opportunity is given to the 3rd party M/s Sunlive Solar System and directed to appear before the Commission to plead its case otherwise the decision will be taken in their absence.

To come up for further hearing on 24.03.2020 at 11.00 AM.

Chandigarh Dated 15.01.2020 Sd/(Khushwant Singh)
State Information Commissioner

CC to : M/s Sunlive Solar System,
Amaltas Enclave,
Near DD Public School, Jalandhar Bye-Pass,
Ludhiana.

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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 Chief Secretary, Pb, Chandigarh.

First Appellate Authority, O/o Chief Secretary, Pb, Chandigarh.

...Respondent

Appeal Case No. 3317 of 2018

Present: None for the Appellant

Sh.Payara Lal O/o STC,Pb Chandigarh for the Respondent

ORDER:

The case was first heard **on 18.12.2018.**The respondent present pleaded that the appellant had filed RTI application with the office of Chief Secretary, Punjab and they received the application from the office of Chief Secretary on06.07.2018. The respondent further pleaded that the appellant was asked vide letter dated 18.07.2018 to deposit requisite fee for getting the information but the appellant had not deposited the fee. The appellant had denied having received the reply of the PIO.

Having gone through the file, it was observed that the RTI application was attended by the PIO well within the time. The appellant was directed to deposit the requisite fee and get the information.

During further scrutiny of the case, it was observed that the appellant had filed two similar applications seeking exactly the same information vide appeal case No.3316/2018 & appeal case No.3318/2018 from the office of Finance Minister, Punjab and the office of Chief Secretary, Punjab, Chandigarh. The Commission found it clearly a violation of the spirit of the RTI Act as it diverts the resources of the department/public authority unnecessarily. Keeping this fact in mind, all these three cases were clubbed together. The Commission madeMs.SimranpreetKaur O/o of Principal Secretary, Govt of Punjab, Department of Transport as deemed PIO and directed the PIO to provide the information to the appellant within 10 days after receipt of requisite fee. The PIO was also directed to submit proof of dispatch of letter dated 18.07.2018.

The case was again heard on **12.02.2019.** The respondent present pleaded that the appellant has not deposited the requisite fee. The respondent also submitted proof of dispatch of letter dated 18.07.2018. The respondent further pleaded that since part of the information sought pertains to the office of STC Punjab, they have already sent a request letter to the STC asking them to provide the information but the same is still awaited.

The PIO-STC, Punjab, Chandigarh was made a party and directed to handover the information to Ms.Simranpreet Kaur immediately enabling her to send the information to the appellant before the next date of hearing. The PIO was directed to provide the information after taking requisite applicable fee from the appellant.

Appeal Case No. 3317 of 2018

The case came up for hearing again on **02.04.2019**. The respondents present from CM Office and Finance Department pleaded that since the information relates to the office of State Transport Commissioner, they should be exempted. The respondent present from the office of Principal Secretary, Transport, Punjab pleaded that the information concerning them relating to points 1 & 2 has been provided to the appellant and since the remaining information relates to STC Punjab, Chandigarh, they have corresponded many times with the office of State Transport Commissioner but they have not provided the information.

The PIO-STC was absent. The PIO-STC was directed to provide the information in all three appeal cases No.3316/2018, 3317/2018 & 3318/2018 which were clubbed together in the last hearing. The PIO-STC was also directed to appear personally on the next date of hearing. Ms.Simranpreet Kaur was exempted from the deemed PIO. The respondent from Finance Department and CM office were also exempted.

The case was again heard on **21.05.2019**. The appellant was absent. The respondent present from the office of STC pleaded that the enquiry has been marked to RTA Patiala and whatever the investigation, is being done by them. They have sent following reply to the appellant vide letter dated 20.05.2019. The PIO-Regional Transport Authority, Patiala was directed to look at the RTI application and send reply to the appellant as applicable under the RTI Act.

On the date of hearing on **23.07.2019**, the respondent brought the enquiry report and handed over to the appellant. The appellant pleaded that the PIO has not provided the communication letters and statement of both the parties regarding points 3 & 4. The PIO-RTA Patiala was directed to relook at the RTI application and address the same.

The case was last heard on **05.11.2019**. The respondent present pleaded that the information has been sent to the appellant on 25.10.2019. Having gone through the information, it was found that the points-3 & 4 have not been adequately responded to. The PIO was directed to reply to points-3 & 4 appropriately.

Hearing dated 15.01.2020:

The respondent informed that they have already asked the Secretary-RTA Patiala to provide the information but the same has not yet been received.

The appellant is absent. The case is adjourned. Next date to be pronounced.

Sd/Chandigarh (Khushwant Singh)
Dated: 15.01.2020 State Information Commissioner

CC to: 1. The PIO, State Transport Commissioner, Punjab, Chandigarh.

2. PIO-Secretary, Regional Transport Authority, Patiala.