



Sh. Aditya Kapoor,
Shop No-3, Near Majitha Gun house,
Court Road, Amritsar.

.....Appellant

Vs

Public Information Officer,
O/o Chief Administrator,
ADA, Amritsar.

First Appellate Authority,
O/o Chief Administrator,
ADA, Amritsar.

.....Respondent

Appeal Case .No. 146 of 2020

PRESENT: None for the Appellant
Sh.Manjit Singh O/o ADA Amritsar for the Respondent

ORDER:

The appellant through RTI application dated 03.10.2019 has sought information regarding pay scale of Sh.Hardev Singh, clerk posted at PUDA office Amritsar alongwith details of his family income and other information concerning the office of Chief Administrator, ADA Amritsar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 21.10.2019 which disposed off the appeal on 06.11.2019 which took no decision on the appeal.

The case was first heard on 02.07.2020 through video conference facility available in the office of Deputy Commissioner, Amritsar. The respondent present pleaded that since the RTI application filed by the appellant was neither signed nor any ID proof was attached with the application, the appellant was asked vide letter dated 04.10.2019 and again on 15.11.2019 to send ID proof but the appellant did not respond, hence the information was not provided. The respondent further informed that no clerk in the name of Sh.Hardev Singh is posted/working in PUDA office Amritsar.

The appellant was absent to pursue his case. The case was adjourned.

Hearing dated 15.09.2020:

The case has come up for hearing today **through video conferencing** at DAC Amritsar. The respondent present pleaded that there is no clerk in the name of Sh.Hardev Singh posted or working in PUDA office Amritsar and the reply has been sent to the appellant vide letter dated 03.07.2020 with a copy to the Commission.

The appellant is absent. Having gone through the RTI application and the reply of the PIO, the Commission finds that the RTI application has been replied suitably and no further course of action is required.

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

Chandigarh
Dated 15.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Smt. Shiv Mehra. W/o Late Sh.Surinder Chand,
R/o Kothi No-N7/15, Albert Road,
RatnaGiri Avenue,
Near Kumar International Hotel,
Amritsar.

... Complainant

Versus

Public Information Officer,
O/o Tehsildar,
Amritsar-1.

...Respondent

Complaint Case No. 159of 2019

PRESENT: Sh.Vivek Singla, Advocate for the Appellant
Sh.Manjit Singh, Tehsildar Amritsar-1 for the Respondent

ORDER:

The complainant through RTI application dated 29.10.2018 had sought information regarding land of khasra No.973, khewat No.213, Khatauni No.248 Page No.166, Jamabandi for the year 2015-16 – date of 100 year lease – amount of lease – name of lessee and other information concerning the office of Tehsildar Amritsar-1. The complainant was not provided the information after which the complainant filed complaint in the Commission on 11.02.2019.

The case was first heard by Sh.S.S.Channay, Chief Information Commissioner on 27.03.2019. The respondent was absent. The PIO was directed to supply the information to the complainant before the next date of hearing.

The case was further heard by this bench on **22.08.2019**. The counsel appeared on behalf of the appellant claimed that the PIO has not provided the information. The respondent was absent. The Commission received an email from the PIO-Tehsildar, Amritsar-1 stating that they have already sent reply to the complainant vide letter dated 22.07.2019 whereby the PIO sent a copy of jamabandi and informed that there is no record available in their office pertaining to lease of the property. The complainant was also asked to provide the vasika number of the lease and get the copy of lease deed by visiting the office of PIO on any working day.

The counsel present pleaded that vasika number is not available with the appellant. The Commission observed that there has been an enormous delay in providing the information and issued a **show cause notice to the PIO under Section 20 of the RTI Act 2005 and directed to file an affidavit in this regard**. The PIO was again directed to appear before the Commission on the next date of hearing alongwith entire record of the case.

Sh.Arinder Singh O/o Tehsildar, Amritsar-1 appeared late and informed that the information cannot be provided since the record stands destroyed in fire in 2015. The respondent was directed to submit detailed reply on an affidavit that the entire record stands destroyed, and that there is no other provision to ascertain the availability of the sought documents.

The case was again heard on **25.11.2019**. The counsel present on behalf of the appellant pleaded that the PIO has not provided the information. The respondent was absent. The PIO was given one last opportunity to comply with the earlier order of the Commission and be present on the next date of hearing otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

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On the date of hearing on **23.01.2020**, the respondent was absent nor sent any reply to the show cause notice. The PIO was given one more opportunity to comply with the earlier order of the Commission and be present on the next date of hearing.

On the date of hearing on **24.02.2020**, the respondent brought the reply which was taken on the file of the Commission. In the reply, the PIO stated that since the record stands destroyed in fire, the information cannot be provided.

Having gone through the reply, the Commission found that more due diligence is required to conclude whether this record exists or not. The PIO was directed to bring entire case file to the Commission on the next date of hearing for the appellant to inspect.

On the date of hearing on **09.06.2020**, the appellant stated that the PIO has not provided the information. The respondent pleaded that the appellant be asked to inspect the record and get the relevant information. The appellant requested that he may be allowed to inspect the record relating to Khasra No.969, 970, 971,972 & 973.

The PIO was directed to allow the inspection of the record relating to above khasra numbers to the appellant and provide the relevant information.

The case was last heard on **28.07.2020**. Following the discussions at the hearing, the PIO was directed to provide all the information regarding khasra No.973 from the year 1840 to 1940. As the PIO had claimed that part of the record is in the custody of the DRO, the PIO-Tehsildar Amritsar-1 was directed to procure it from the DRO and provide the information to the appellant. The PIO-DRO Amritsar was directed to provide the record to the Tehsildar to facilitate the information.

Hearing dated 15.09.2020:

The case has come up for hearing today through video conferencing at DAC Amritsar. The respondent present pleaded that in compliance with the order of the Commission, the information/copies of jamabandi for the year 1887-88, 1920-21, 1924-25 & 1937-38 relating to khasra No.973 has been provided to the complainant vide letter dated 31.08.2020 and as per report of concerned record keeper, no further information is available in their record. A certificate to this effect has also been supplied to the complainant with a copy to the Commission.

Since the information has been provided to the best possible extent of a record of 100 years old, and a certificate to the effect has also been provided by the PIO, I see no further course of action in the case.

I have gone through the reply and accept the plea of the PIO regarding the reason behind the delay in providing information of an old record, I find the delay is not malafide, as best attempts were made to provide the appellant with maximum information available on record.

Given the above reasons, no more further action is to do in the case. Hence the show cause is dropped.

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

Chandigarh
Dated 15.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to District Revenue Officer, Amritsar.



Sh. Jagbir Singh. s/o Sh Harjinder Singh,
VPO Fatehpur Rajputan,
Distt Amritsar.

... Appellant

Versus

Public Information Officer,
O/o SDM,
Amritsar-1.

First Appellate Authority,
O/o SDM,
Amritsar-1.

...Respondent

Appeal Case No. 628 of 2019

PRESENT: Sh.Jagbir Singh as the Appellant
Sh.Manjit Singh, PIO-Tehsildar Amritsar-1 for the Respondent

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

The appellant through RTI application dated 13.07.2018 had sought information regarding action taken on his applications dated 26.03.2018 and 0705.2018 for making correction in Fard from the office of SDM Amritsar-1. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 23.08.2018 which took no decision on the appeal.

On the date of hearing on 27.03.2019, the PIO was absent. Sh.Sukhvinder Singh, clerk appeared submitted a letter dated 26.03.2019 stating that the information has been provided and a copy of letter was handed over to the appellant and the appellant was directed to send his observations with a copy to the Commission.

On the date of next hearing on 22.08.2019, the appellant claimed that the information has not been provided as per the RTI application. Sh.Phoolraj from the office of SDM Amritsar-1 appeared and informed that the information is in the custody of PIO-Tehsildar, Amritsar-1 and they have already transferred the RTI application to them on 27.07.2018. The PIO-Tehsildar, Amritsar-1 was absent. The PIO-Tehsildar Amritsar-1 was directed to provide the information as per the RTI application within 10 days.

Sh.Arinder Singh O/o Tehsildar Amritsar-1 appeared late and submitted a letter from the PIO dated 26.04.2019 stating that the correction in the Fard can only be done with the order of the Civil Court and the appellant has been informed of the same.

On 25.11.2019, the PIO was again absent. Sh.Karan Kapoor O/o Tehsildar, Amritsar-1 appeared and submitted reply dated 20.11.2019 whereby the information was denied stating that the information is in question form. Having gone through the reply and hearing both the parties, the Commission found that the appellant had simply asked for the action taken on his application submitted to the Tehsildar on 15.05.2017 for correction in the fard and report of field staff dated 25.05.2017. The PIO-Tehsildar Amritsar-1 was directed to provide action taken report and report of field staff as well as to provide whatever the document is available on record as per the RTI application.

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On the next date of hearing which was held on 21.01.2020, the PIO-Tehsildar Amritsar-1 was absent nor had complied with the order of the Commission. The PIO-Tehsildar Amritsar-1 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 the information to the appellant within 10 days.

On the date of hearing which was held on **09.06.2020**, the PIO was again absent nor had sent any reply to the show cause notice as well as not provided the information.

To secure an erring PIO's presence before the commission, a bailable Warrant of the PIO- Tehsildar Amritsar-1 was issued under section 18(3) of the RTI Act through Senior Superintendent of Police, Amritsar for his presence before the Commission on **28.07.2020**.

On the date of hearing on 28.07.2020 which was held through video conferencing at DAC Amritsar, Sh.Manjit Singh, PIO-cum-Tehsildar Amritsar-1 appeared and pleaded that the available information has been supplied to the appellant. The appellant was not satisfied and claimed that the PIO has not provided the action take on the report of field staff dated 25.07.2017. The respondent stated that no further information is available in their record.

Hearing both the parties, the PIO was directed to provide whatever document is available regarding action taken on the report of field staff dated 25.05.2017. If no information is available, the PIO to give in writing on an affidavit that complete information as per record has been provided and no other information is available. The PIO was also directed to provide certified copies of the information.

The respondent however, did not submit reply to the show cause notice. The PIO was directed to submit detailed reply to the show cause notice on an affidavit.

Hearing dated 15.09.2020:

The case has come up for hearing today through video conferencing at DAC Amritsar. The respondent present pleaded that complete information has been supplied to the appellant on 26.04.2019 and again on 22.07.2020. The appellant stated that the PIO has not provided the action taken on the report of field staff dated 25.05.2017. The respondent stated that all the information which is available on record has been provided, and the same has been provided on an affidavit also dated 28.08.2020.

The PIO has also filed reply to the show cause notice which has been taken on the file of the Commission. After having gone through the reply of the PIO and the reply to the show cause, I find both in order and there is no further course of action required.

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

Chandigarh
Dated 15.09.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: PIO-Tehsildar,
Amritsar-I.

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864114, Visit us @ www.infocommpunjab.com,
Email: psicsic30@punjabmail.gov.in



Sh. Rajwinder Singh, S/o Sh Kldeep Singh,
R/o 2636, Gali NO-1, Azad Nagar,
Near Shimla Market, Putlighar,
Amritsar.

.... Appellant

Vs

Public Information Officer,
O/o Superintendent Engineer,
PSPCL, City Circle,
Hall Gate, Amritsar.

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

....Respondent

Appeal Case .No. 4586 of 2019

PRESENT: None for the Appellant
Sh.Kamalpreet Singh, for the Respondent

ORDER:

The appellant through RTI application dated 11.09.2019 has sought information regarding defaulters of payment of electricity bill from 01.04.2018 to 10.04.2019 in Chatiwind Sub Division, Amritsar and other information concerning the office of SE, PSPCL City Circle, Hall Gate, Amritsar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 15.10.2019 which took no decision on the appeal. After filing first appeal, the PIO sent total number of defaulters to the appellant vide letter dated 18.10.2019 and asked the appellant to deposit requisite fee of Rs.900/- for 450 pages for getting required documents.

The case last came up for hearing on 28.07.2020 through video conferencing at DAC Amritsar. The appellant pleaded that the information supplied by the PIO vide letter dated 05.11.2019 is incorrect and not as per the RTI application.

The respondent was absent. The PIO was directed to relook at the RTI application and provide the information as per the RTI application.

On the date of last hearing on **28.07.2020**, the respondent present pleaded that the information has been provided to the appellant. The appellant claimed that the PIO had supplied list of total defaulters but had not specified the consumers who were defaulters in the payment of electricity bill but their electric connections are still operative.

Hearing both the parties, the Commission observed that the appellant was finding it difficult to decipher the information. The PIO was directed to help the appellant to decipher the information. The appellant was directed to visit the office of PIO at Industrial Division, PSPCL Amritsar on 29.07.2020 at 03.00 PM and get the discrepancy resolved. The PIO was directed to cooperate and remove the discrepancy.

Hearing dated 15.09.2020:

The case has come up for hearing today through video conferencing at DAC Amritsar. As per respondent, the information has been provided to the appellant.

The appellant is absent. The appellant has telephonically informed that he has received the information and his appeal case may be closed.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

**Chandigarh
Dated 15.09.2020**

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