



Sh. Sarabjit Singh,
RTI Activist, H No-1375,
Street Chonna Wali, Verka,
Amritsar.

....Appellant

Vs

Public Information Officer,
O/o ADA,
Amritsar.

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

....Respondent

Appeal Case No. 322 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 09.10.2019 has sought information regarding approval for setting up of Celebration Enclave Tarn Taran Road Amritsar- plots allotted and other information concerning the office of ADA Amritsar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 28.11.2019 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Amritsar. Both the parties are absent.

Having gone through the file, it is found that the PIO has transferred the RTI application under section 6(3) to the APIO-cum-Sub Divisional Engineer(R), ADA, Amritsar and PIO-cum-Superintendent O/o Chief Administrator, ADA, Amritsar. The APIO-cum-SDE(R) and PIO-cum-Suptd. O/o Chief Administrator are directed to provide the information to the appellant as per RTI application transferred by APIO-cum-PIO O/o Add. Chief Administrator on 23.10.2019 and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **28.07.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated 22.06.2020
CC to:1. APIO-cum-Sub Divisional Engineer(R)
Amritsar Development Authority,
Amritsar.

Sd/-
(Khushwant Singh)
State Information Commissioner

2. PIO-cum-Superintendent O/o
Chief Administrator, ADA, Amritsar

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Ms.Kamaldeep Kaur, D/o Sh.Pritpal Singh,
R/o Village Gumtala, Opposite Dispensary,
Ward No-5, Amritsar.

... Appellant

Versus

Public Information Officer,
O/o ADA,
Amritsar.

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

...Respondent

Appeal Case No. 2060 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The case was first heard on 22.10.2019. The respondent present pleaded that since the information is voluminous, the appellant was asked to inspect the record and get the relevant information but the appellant did not prefer to inspect the record. Thereafter, vide letter dated 03.05.2019, the appellant was asked to deposit requisite fee of Rs.4000/- for 2000 pages which the appellant did not deposit and hence, the information was not provided. The respondent had brought entire record in the Commission.

However, the appellant during the hearing asked for information on 8 points (points 1,2,4, 5, 6, 7, 13 & 14). The respondent was directed to provide the information on these points as per the RTI application.

The case was last heard on **13.02.2020**. The respondent present pleaded that the information has been provided to the appellant on 23.01.2020. The appellant was absent and vide email sought time to go through the information and to point out the discrepancies.

Hearing dated 22.06.2020:

The case has come up for hearing today **through** video conference facility available in the office of Deputy Commissioner, Amritsar. The respondent is absent. At the last hearing, the respondent present informed that the information has been provided. The appellant was absent and had sought time to go through the information and to point out the discrepancies.

The appellant is absent nor has communicated any discrepancies. It is presumed that the appellant is satisfied with the information.

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

Chandigarh
Dated 22.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



through registered post.

Sh. Harjit Singh, S/o ShTarsem Singh,
R/o Rose Avenue Chamari Road,
Ajnala, Distt Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Addl, SE, Operational,
PSPCL, Division, Ajnala,
Distt Amritsar.

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

...Respondent

Appeal Case No. 909 of 2019

PRESENT: Sh.Harjit Singh as the Appellant
Sh.Rajesh Kumar, SDO for the Respondent

ORDER: The case was first heard on 18.06.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that regarding point-1, he had sought copies of MCO and SCO issued for the said electric connections. The respondent pleaded that the record stands destroyed being more than 20 years old. The PIO was directed to enquire into the matter and submit a complete enquiry report which establishes that the record is missing or destroyed as per the procedure.

The information regarding point-2 & 6 had been provided. The PIO was directed to get information regarding point-3 from the Computer Cell and provide to the appellant. The PIO was also directed to provide information on point-4 and sort out the anomaly regarding point-5.

The case was again heard on **28.11.2019**. The appellant claimed that the PIO has not provided the information. The respondent pleaded that the information has not been received from the computer cell. The PIO was given one more opportunity to comply with the earlier order of the Commission and provide the information to the appellant within 10 days

The case was last heard on **27.01.2020**. Both the parties were absent. The case was adjourned.

Hearing dated 22.06.2020:

The case has come up for hearing today through video conference facility available in the office of the Deputy Commissioner, Amritsar. The appellant pleaded that the PIO has not provided the complete information as per the RTI application. The respondent present pleaded that the available information has been provided and no further information is available in their record.

Hearing both the parties, the Commission hereby directs the PIO to give in writing on an affidavit that the information provided to the appellant is true, complete and no further information is available in their record. The affidavit be provided within 10 days with a copy to the Commission.

The case is adjourned. To come up for compliance on **28.07.2020 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Amritsar.

Chandigarh
Dated 22.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Teshail Batala, Dist Gurdaspur.

....Appellant

Vs

Public Information Officer,
O/o XEN, PSPCL,
Ajnala, Distt Amritsar.

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

....Respondent

Appeal Case No. 325 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 21.10.2019 has sought information regarding details of employees, their designation and branch deployed in their office alongwith attendance register and other information concerning the office of XEN, PSPCL, Ajnala, Distt Amritsar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 01.12.2019 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Amritsar. Both the parties are absent.

The case is adjourned. To come up for further hearing on **28.07.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated 22.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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Madhya Marg, Sector 16, Chandigarh.

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Email: psicsic30@punjabmail.gov.in



Sh. Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Teshail Batala, Dist Gurdaspur.

....Appellant

Vs

Public Information Officer,
O/o Deputy Chief Engineer,
PSPCL, Gurdaspur.

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

....Respondent

Appeal Case No. 324 of 2020

PRESENT: Sh.Sukhchain Singh as the Appellant on W/S
Sh.Deepak Kumar, Xen-Tech for the Respondent

ORDER:

The appellant through RTI application dated 14.09.2019 has sought information regarding tender called in 2019-20 alongwith conditions applicable, names of the contractors who applied and submitted documents and other information concerning the office of Deputy Chief Engineer, PSPCL Gurdaspur. The appellant was denied the information by the PIO vide letter dated 22.10.2019 stating that the original record is under enquiry, the information cannot be provided after which the appellant filed a first appeal before the First Appellate Authority on 25.10.2019 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Gurdaspur. The respondent present pleaded that since an enquiry was pending, the information could not be provided and now the information has been supplied to the appellant on 31.01.2020. The appellant is not satisfied and stated that the information is incomplete.

Hearing both the parties, the appellant is directed to inspect the record by visiting the office of the PIO on 30.06.2020 at 11.00 AM and get the relevant information. The PIO is directed to allow the inspection of record to the appellant and provide the relevant information as per RTI Act.

The case is adjourned. To come up for further hearing on **05.08.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Gurdaspur.

Chandigarh
Dated 22.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Suresh Kumar, S/o Sh Budh Ram,
R/o Strret No.-5, Bagiana Basti,
Moga.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Moga.

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

...Respondent

Appeal Case No. 3326 of 2019

PRESENT: None for the the Appellant
Sh.Harjinder Singh, ASI for the Respondent

ORDER:

The appellant through RTI application dated 02.04.2019 has sought information regarding enquiry report and statement of witnesses alongwith test reports of blood slots and other information concerning the office of SSP Moga. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 30.05.2019 which disposed off the appeal on 23.08.2019.

The case was last heard on **06.01.2020**. The respondent present pleaded that the information has been provided to the appellant. The representative present on behalf of the appellant informed that the PIO has not provided the complete information as per the RTI application. Hearing both the parties, the PIO was directed to relook at the RTI application and provide the entire information to the appellant as per the RTI application before the next date of hearing.

Hearing dated 22.06.2020:

The respondent present pleaded that copy of DDR and statement has been provided to the appellant. The respondent further informed that since the test report is still awaited, the information cannot be provided and the reply has been sent to the appellant.

The appellant is absent. As per facts brought out by the respondent, the Commission finds that the RTI has been responded to the best possible extent and no further course of action is required.

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

Chandigarh
Dated 22.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Mohan Mittal,
H No-815, Ahata Badan Singh,
Moga.

... Appellant

Versus

Public Information Officer,
O/o Commissioner, MC,
Moga.

First Appellate Authority,
O/o Commissioner, MC,
Moga.

...Respondent

Appeal Case No. 580 of 2019

PRESENT: Sh.Mohan Mittal as the Appellant
Sh.Balkaran Singh for the Respondent

ORDER: The case was first heard on **24.06.2019**. The appellant claimed that the PIO has not provided the complete information. The respondent was absent. Having gone through the RTI application and the reply of the PIO, the Commission found that the appellant in point no.2 has sought that if any document exists that establishes the status of the encroachment being regularized. The PIO was directed to provide, if any document has been created to assess the encroachment, or any such document that exists which regularizes such encroachment.

The case was again heard on **26.08.2019**. The appellant was absent and vide email informed that the PIO has not provided the information. The respondent was also absent. The case was adjourned.

The case was again heard on **05.12.2019**. Both the parties were absent. The appellant vide email informed that the PIO has not provided the information. The Commission. 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 the information to the appellant within 10 days.

The case was last heard on **21.01.2020**. The respondent present informed that the reply was sent to the appellant through messenger but the appellant refused to accept the reply. The respondent submitted a copy of the reply to the Commission. The respondent also submitted reply to the show cause notice which was taken on the file of the Commission. Having gone through the reply, there appeared to be no malafide on the part of the PIO and the show cause was dropped.

The appellant was absent. A copy of the information was attached with the order for the appellant and the appellant was directed to point out the discrepancy if any in writing and be present on the next date of hearing.

Hearing dated 22.06.2020:

The respondent present pleaded that complete information has been provided to the appellant. The appellant has received the information.

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

Chandigarh
Dated 22.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Charan Dass, S/o Sh Phul Chand C/o Sh Roshan Lal,
Street NO-4-5, Satwa Chowk, New Suraj Nagri,
Abohar, Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o EO, NC,
Abohar, Distt Fazilka.

First Appellate Authority,
O/o Deputy Director,
Local Govt, Ferozepur.

...Respondent

Appeal Case No. 2944 of 2019

PRESENT: Sh.Charan Dass as the Appellant
Sh.Raj Kumar, RTI Clerk O/o NCAbohar for the Respondent

ORDER:

The appellant through RTI application dated 07.05.2019 has sought information on 10 points regarding order passed by the NC Abohar and circulated by EO-NC relating to promotion of the applicant from the office of EO-NC Abohar. The appellant was not satisfied with the information by the PIO vide letter dated 19.06.2019 after which the appellant filed a first appeal before the First Appellate Authority on 24.06.2019 which disposed off the appeal on 24.07.2019 with the direction to the PIO to provide the complete information to the appellant.

The case was first heard on 17.12.2019. The appellant claimed that the PIO has not provided the complete information. The respondent was absent. The PIO was directed to relook at the RTI application and send point-wise reply and provide all the information that has been sought.

The case was last heard on **25.02.2020**. The respondent present pleaded that the information has been provided to the appellant on 19.06.2019. The appellant stated that the information is incomplete since the PIO has not provided the copy of order for not considering the case of yearly increments regarding point-1, copy of high court decision regarding point-3 and order for not processing the pension case of the appellant.

Having gone through the RTI application, reply of the PIO and hearing both the parties, the PIO was directed to suitably reply all the points of the RTI application on an affidavit.

Hearing dated 22.06.2020:

The case has come up for hearing today through video conference facility available in the office of **Deputy Commissioner, Fazilka**. The appellant claims that the PIO has not provided the information. The PIO is absent. The respondent present has not been able to reply suitably.

Appeal Case No. 2944 of 2019

Having gone through the file, the Commission observes that the RTI application was filed on 07.05.2019 but the PIO the information has not yet been provided by the PIO. There has been an enormous delay of more than one year in providing the information. 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 the information to the appellant within 10 days.

The case is adjourned. To come up for further hearing on **29.07.2020 at 11.00 AM** through video conference facility available in the office of **Deputy Commissioner, Fazilka.** The PIO to appear at Chandigarh.

Chandigarh
Dated 22.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Charan Dass, S/o Sh Phul Chand C/o Sh Roshan Lal,
Street NO-4-5, Satwa Chowk, New Suraj Nagri,
Abohar, Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o EO, NC,
Abohar, Distt Fazilka.

First Appellate Authority,
O/o Deputy Director,
Local Govt, Ferozepur..

...Respondent

Appeal Case No. 2945 of 2019

PRESENT: Sh.Charan Dass as the Appellant
Sh.Raj Kumar, RTI Clerk for the Respondent

Facts of the case-

- That Sh.Charan Dass through RTI application dated 13.05.2019 sought information regarding resolution No.46 passed on 13.09.2018 and resolution No.78 dated 26.11.2018 relating to posting in account branch and entry in service from the office of EO-NC Abohar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 24.06.2019 which disposed off the appeal on 24.07.2019 with the direction to the PIO to provide the complete information to the appellant.
- That the information was not provided by the PIO, the appellant filed second appeal in the Commission.
- That the case came up for hearing first on 17.12.2019. The appellant claimed that despite direction of the First Appellate Authority, the PIO has not provided the complete information. The respondent was absent.
- That there has been an enormous delay in providing the information, the PIO was issued a show cause notice under **section 20 of the RTI Act and directed to** file a reply on an affidavit. The PIO was again directed to provide the information to the appellant within 10 days.
- That on the next date of hearing on **25.02.2020, the PIO** was absent. Mrs.Rita Rani appeared on behalf of the PIO and informed that the information has been provided to the appellant on 19.06.2019. The appellant stated that he has received the information only on points 2 & 3.
- That having gone through the RTI application, reply of the PIO and hearing both the parties, the PIO was directed to suitably reply all the points of the RTI application on an affidavit. The Commission further observed that the PIO had not sent reply to the show cause notice, the PIO was directed to appear personally on the next date of hearing and submit reply to the show cause notice on an affidavit.

Appeal Case No. 2945 of 2019

The case has come up for hearing today through video conference facility available in the office of **Deputy Commissioner, Fazilka**. The appellant claims that despite order of the Commission, the PIO has not provided the complete information. The PIO is absent nor has filed reply to the show cause notice. The respondent present has not been able to reply suitably.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO and the PIO-NC Abohar has failed to provide the information within the time prescribed under the RTI Act, such an enormous delay in providing the information cannot be condoned. The PIO has also failed to comply the order of the Commission. The PIO-EO, Abohar is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request, and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of **Rs.10,000/-** is hereby imposed upon the PIO- EO, NC Abohar which be deposited in the Govt. Treasury. The PIO-EO, NC Abohar is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

Further, the Commission is of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO- EO, NC Abohar is directed to pay an amount of **Rs.3000/-** 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 again directed to provide the information within 10 days.

The case is adjourned. To come up for further hearing on **29.07.2020 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, **Fazilka**. The PIO to appear personally at Chandigarh.

Chandigarh
Dated 22.06.2020

Sd/-
(Khushwant Singh)
State Information Commissioner