



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
None for the Respondent

ORDER:

The case was first heard on 13.05.2019. 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 had 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 observed that it is very difficult for a public authority to ascertain that in which department the information lies. The appellant was directed to appear on the next date of hearing to plead his case and bring clarity on the information that he seeks.

The case was last heard on **25.07.2019**. The counsel appeared on behalf of the complainant was not able to specify the information. The respondent had already sent reply to the appellant.

Having gone through the RTI application, the Commission observed that the queries raised in the RTI application are ambiguous and do not qualify as the information as defined under the RTI Act. However, the Commission directed the complainant to inspect the record and take appropriate documents. The PIO was directed to allow inspection to the complainant and provide the relevant information.

Hearing dated 29.10.2019:

Both the parties are absent. In the last order, the complainant was directed to inspect the record and take appropriate documents. However, the complainant has not communicated that whether the complainant has inspected the record and received the information or not. It is presumed that the complainant has received the information and is satisfied.

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

Chandigarh
Dated 29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Rajan Choudhary, s/o Sh Rmaesh Chander,
R/o 1474/06, Sunder Nagri, Abohar,
Distt Fazilka .

... Complainant

Versus

Public Information Officer,
O/o Addl, DC,
Fazilka.

...Respondent

Complaint Case No. 310 of 2019

PRESENT: Sh.Rajan Chaudhary as the Appellant
Sh.Munish Gupta, APIO-MGNREGA Block Khuian Sarvar for the
Respondent

ORDER:

The case was last heard on 24.07.2019. The complainant pleaded that after depositing the fee of Rs.7500/-, the PIO provided only 275 pages of information and refunded remaining amount. However, the information provided is not relevant.

Hearing both the parties, the Commission observed that the complainant filed RTI application with the office of DC Fazilka which transferred the same to Additional DC (Development) Fazilka and the reply was received to the appellant from BDPO who raised an amount of Rs.7500/- but without any break-up. The appellant deposited Rs.7500/- after which he has been provided 275 pages of information, which as per the complainant are not relevant. Since the pages of information provided were not as per fee deposited, the BDPO refunded an amount of Rs.11430/-(a fee of Rs.6000/- had been raised by the PIO for almost similar RTI application in complaint case No.311/2019). Obviously, there had been mishandling of this RTI application as the fee was raised inappropriately and the information provided was not accurate.

The PIO-BDPO, Khuian Sarvar, Abohar was directed to look into the case and provide the relevant information as per the RTI Act before the next date of hearing otherwise the Commission will be constrained to take action as per provisions of the RTI Act. PIO to raise actual amount for the information. If the complainant needs an inspection, he may be allowed to inspect the record and provide the relevant information.

Hearing dated 29.10.2019:

The respondent present pleaded that the information has been provided to the complainant. The complainant is present and informed that he 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:29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Rajan Choudhary, s/o Sh Rmaesh Chander,
R/o 1474/06, Sunder Nagri, Abohar,
Distt Fazilka .

... Complainant

Versus

Public Information Officer,
O/o Addl, DC,
Fazilka.

...Respondent

Complaint Case No. 311 of 2019

PRESENT: Sh.Rajan Chaudhary as the Appellant
Sh.Munish Gupta, APIO-MGNREGA Block Khuian Sarvar for the
Respondent

ORDER:

The case was last heard on 24.07.2019. The complainant pleaded that after depositing the fee of Rs.6000/-, the PIO provided only 670 pages of information and refunded remaining amount. However, the information provided is not relevant.

Hearing both the parties, the Commission observed that the complainant filed RTI application with the office of DC Fazilka which transferred the same to Additional DC (Development) Fazilka and the reply was received to the appellant from BDPO who raised an amount of Rs.6000/- but without any break-up. The appellant deposited Rs.6000/- after which he has been provided 670 pages of information, which as per the complainant are not relevant. Since the pages of information provided were not as per fee deposited, the BDPO refunded an amount of Rs.11430/-(a fee of Rs.7500/- had been raised by the PIO for almost similar RTI application in complaint case No.310/2019). Obviously, there had been mishandling of this RTI application as the fee was raised inappropriately and the information provided was not accurate.

The PIO-BDPO, Khuian Sarvar, Abohar was directed to look into the case and provide the relevant information as per the RTI Act before the next date of hearing otherwise the Commission will be constrained to take action as per provisions of the RTI Act. PIO to raise actual amount for the information. If the complainant needs an inspection, he may be allowed to inspect the record and provide the relevant information.

Hearing dated 29.10.2019:

The respondent present pleaded that the information has been provided to the complainant. The complainant is present and informed that he 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:29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



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
Sh.Jagdish Singh, SDO-PSPCL Model Town, Batala for the Respondent

ORDER:

The case was first heard on 13.05.2019. The appellant informed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information to the appellant within 15 days and send a compliance report to the Commission. The PIO was also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case was last heard on **25.07.2019**. The appellant claimed that despite order of the Commission, the PIO has not provided the information. The respondent was absent on 2nd hearing. The PIO was issued a **show cause notice under section 20** of the RTI Act for not supplying the information within the statutorily prescribed period of time and directed to 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 was again directed to provide the information to the appellant within 10 days.

Hearing dated 29.10.2019:

The appellant claims that the PIO has not provided the information. The PIO has not filed reply to the show cause notice for delay in providing the information. The respondent present pleaded that the record being 20 years old is not traceable and the information cannot be provided.

The Commission however, does not consider the record missing until an enquiry is conducted and a complete enquiry report is submitted which establishes that the record is missing and the responsibility has been fixed for the person under whose custody the record went missing. The PIO is directed to conduct an enquiry into the matter and submit a complete enquiry report. The PIO is also directed to submit reply to the show cause notice otherwise the Commission will be constrained to penalize the PIO under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **13.01.2020 at 11.00 AM.**

Chandigarh
Dated 29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Yogesh Goel, S/o Lt. Sh 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: None for the Appellant
Sh.Santosh Kumar Bains, PIO GLADA for the Respondent

ORDER:

The case was first heard on 13.05.2019. The respondent was absent and sought exemption being on election duty. In the same letter, the respondent 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 PIO was 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 was last heard on **25.07.2019**. The respondent present pleaded that the information has been provided to the appellant vide letter dated 06.05.2019 and again on 21.07.2019. The counsel present on behalf of the appellant denied having received the information. The respondent again provided the information to the counsel before the Commission.

The counsel sought time to go through the information. The case was adjourned.

Hearing dated 29.10.2019:

The respondent present pleaded that the information has already been provided to the appellant. The appellant is absent nor has pointed out any discrepancies. It is presumed that the appellant is satisfied with the information provided.

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

Chandigarh
Dated 29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - Psicsic30@punjabmail.gov.in
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Sh. Devan Munjal,
Ward No-13, Near Usha Nursing Home,
Gidderbaha.

... Complainant

Versus

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

First Appellate Authority,
O/o SDM, Gidderbaha,
Sri Mukatsar Sahib.

...Respondent

Complaint Case No. 1099 of 2018

Present: None for the Complainant
Sh.Gurmail Singh, Tehsildar, Gidderbaha for the Respondent

ORDER:

The case was first heard on **09.01.2019**. The complainant stated that since the PIO provided the information only on point No.4 out of 9 points, he filed first appeal with the First Appellate Authority which marked the same to the Tehsildar Gidderbaha to adjudicate the appeal. The Tehsildar denied the information stating that it is in question form. The appellant further stated that the information has been delayed intentionally and with malafide and the First Appellate Authority had not properly handled the RTI application, for the decision cannot be taken by the PIO when the case has come to the First Appellate Authority.

The respondent was absent. The PIO was directed to relook at the RTI application and provide all the information which is available with the public authority, even it has been raised in question form. Information, even if asked in question form, but is in the possession of the public authority, should be provided. The PIO was also directed to be present on the next date of hearing alongwith the reasons for delay in providing the information.

The case was again heard on **26.02.2019**. The appellant informed that he has not received the information. The respondent was absent and vide email, sought exemption stating that as per order of the DC, Mukatsar Sahib, the respondent has to remain at the station during the leave period of SDM Giddarbaha from 26.02.2019 to 01.03.2019. The PIO further informed that the information has been sent to the complaint vide letter dated 25.02.2019 and a copy of the same sent to the Commission.

A copy of the information was provided to the complainant. The complainant was not satisfied with the information regarding points 6 & 7. The PIO was directed to allow the inspection of the concerned record regarding points 6 & 7 by fixing a mutually convenient date and time and provide the information before the next date of hearing. The PIO was also directed to be present on the next date of hearing and explain the reasons for not providing the information within the time prescribed under the RTI Act.

Complaint Case No. 1099 of 2018

The case again came up for hearing on **02.04.2019**. The appellant was absent and vide email informed that he visited the office of the PIO on 15.03.2019 and 20.03.2019 but the Tehsildar was not available in the office and nobody showed any concern. The respondent was absent. The PIO was directed to contact the appellant and fix a mutually convenient date & time for inspection within 10 days and provide the information to the appellant as per previous order which still stands.

The case was again heard on **21.05.2019**. The appellant claimed that despite order of the Commission, the PIO has not provided the information, nor cooperated to inspect the record. The respondent was absent. The PIO was issued a **show cause notice under section 20 of the RTI Act** and directed to file reply on an affidavit. The PIO was also directed to bring the record regarding information relating to points 6 & 7 to the Commission on the next date of hearing.

The case was last heard on **17.07.2019**. The appellant was absent and vide email sought exemption. The respondent present from the office of Warehousing Corporation pleaded that the matter does not relate to them and he has been ordered to attend the hearing only.

The PIO was absent nor has sent any reply to the **show cause notice**. The Commission observed that the appellant has sought information from the revenue department whereas the PIO instead of complying with the order of the Commission had preferred to send an official from the office of Warehousing Corporation who knew nothing about the case. The PIO was however, granted one last opportunity to comply with the earlier order of the Commission and appear personally before the Commission on the next date of hearing alongwith written reply to the show cause on an affidavit, otherwise the Commission will be constrained to take action as per provision of the RTI Act.

Hearing dated 29.10.2019:

The respondent present pleaded that the information has already been sent to the complainant. The PIO however, has not submitted reply to the show cause notice issued on 21.05.2019. The complainant is absent.

The case is adjourned. To come up on **09.12.2019 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sri Mukatsar Sahib. Copy of order be sent to both the parties through **registered post**.

Chandigarh
Dated: 29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

Note:The complainant appeared late and he was informed that the case has been adjourned.



Smt.Narinder Kaur, W/o Lt Sh.Sukhwinder Singh,
R/o VPO SarhaliKalan, Patti Khasi Ki,
Tehsil and Distt Tarn Taran.

... Complainant

Versus

Public Information Officer,
O/o Executive Engineer,
PSPCL, Division Patti, Patti,
Distt Tarn Taran.

...Respondent

Complaint Case No. 1257of 2018

Present: Sh.Shubham Mehta, Advocate for the complainant
Sh.Sukhvinder Singh, Sr.Xen O/o EE PSPCL Patti for the Respondent

ORDER:

The case was first heard on 12.03.2019. The respondent brought the information and handed over to the complainant. The complainant had received the information.

The Commission found that there is an enormous delay in providing the information. The PIO was directed to explain the reasons for not attending to the RTI application within the prescribed time under the RTI Act. and be present personally on the next date of hearing alongwith the reply on an affidavit.

The case was again heard on **14.05.2019**. The respondent did not bring any reply regarding delay in providing the information. The PIO was given one more opportunity to file detailed reply on an affidavit for not attending to the RTI application within the time prescribed under the RTI Act and be present personally on the next date of hearing.

The case was last heard on **16.07.2019**. The information stands provided. Regarding delay in providing the information, the respondent submitted an affidavit which was taken on the file of the Commission.

The respondent pleaded that he has just joined as PIO on 26.06.2019 and the delay is on the part of the earlier PIO Sh.Gurmukh Singh, who is now posted as Sr Xen, PSPCL, Industrial Division, Hall Gate, Amritsar. The respondent further pleaded that since their office is not equipped with the dedicated staff having requisite qualifications, the information was delayed. The Superintending Engineer, PSPCL, Amritsar was directed to look into the matter and resolve the matter.

Sh.Gurmukh Singh, Sr.Xen, PSPCL-Industrial Division, Hall Gate, Amritsar wasimpleaded in the case and issued a show caused **under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to** file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO was directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

Complaint Case No. 1257of 2018

Hearing dated 29.10.2019:

The information stands provided. Sh.Gurmukh Singh, Sr.Xen, PSPCL Industrial Division, Amritsar who was impleaded in the case, is absent nor has sent any reply to the show cause notice issued for delay in providing the information.

Sh.Gurmukh Singh, Sr.Xen is given one last opportunity to appear before the Commission on the next date of hearing alongwith the reply to the show cause notice on an affidavit, otherwise it will be presumed that he has nothing to say in the matter and the Commission will be constrained to penalize the PIO under section 20 of the RTI Act.

To come up on **13.01.2020 at 11.00 AM** for further hearing.

Chandigarh
Dated: 29.10.2019.

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to 1. Sh.Gurmukh Singh, Sr.Xen,
PSPCL-Industrial Division, Hall Gate, Amritsar
2. Superintending Engineer, PSPCL, Amritsar

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Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - Psicsic30@punjabmail.gov.in
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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana.

... Appellant

Versus

Public Information Officer,
Police Station,
Village Ladawal, Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1286 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
None for the respondent

ORDER:

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

The case was last heard on 25.07.2019. Sh.Jatinder Singh, ASI was present. The respondent had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

The case has come up for hearing today again. The appellant is present. The respondent is absent. The case is adjourned. The PIO is directed to comply with the earlier order of the Commission which still stands and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

To come up for further hearing on **14.01.2020 at 11.00 AM.**

Chandigarh
Dated: 29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Senior Superintendent of Police, Barnala.

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Iadowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1295 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
None for the Respondent

ORDER:

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

The case was last heard on 25.07.2019. Sh.Jatinder Singh, ASI was present. The respondent had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

The case has come up for hearing today again. The appellant is present. The respondent is absent. The case is adjourned. The PIO is directed to comply with the earlier order of the Commission which still stands and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

To come up for further hearing on **14.01.2020 at 11.00 AM**

Chandigarh
Dated: 29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Iadowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1296 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
None for the Respondent

ORDER:

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

The case was last heard on 25.07.2019. Sh.Jatinder Singh, ASI was present. The respondent had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

The case has come up for hearing today again. The appellant is present. The respondent is absent. The case is adjourned. The PIO is directed to comply with the earlier order of the Commission which still stands and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

To come up for further hearing on **14.01.2020 at 11.00 AM**

Chandigarh
Dated: 29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Iadowal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1297 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
None for the Respondent

ORDER:

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

The case was last heard on 25.07.2019. Sh.Jatinder Singh, ASI was present. The respondent had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

The case has come up for hearing today again. The appellant is present. The respondent is absent. The case is adjourned. The PIO is directed to comply with the earlier order of the Commission which still stands and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

To come up for further hearing on **14.01.2020 at 11.00 AM**

Chandigarh
Dated: 29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Ashok Kapoor,
8-C, Kitchlu Nagar,
Ludhiana

Appellant.

Versus

Public Information Officer,
Police Station, Ladawal ,
Ludhiana.

First Appellate Authority,
Commissioner of Police,
Ludhiana

...Respondent

Appeal Case No. 1298 of 2018

Present: Sh.Ashok Kapoor as the Appellant.
None for the Respondent

ORDER:

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

The case was last heard on 25.07.2019. Sh.Jatinder Singh, ASI was present. The respondent had brought the original record as per order of the Commission. However, the appellant was absent and the case was adjourned.

The case has come up for hearing today again. The appellant is present. The respondent is absent. The case is adjourned. The PIO is directed to comply with the earlier order of the Commission which still stands and bring original record pertaining to the RTI application, to the Commission at the next date of hearing.

To come up for further hearing on **14.01.2020 at 11.00 AM**

Chandigarh
Dated: 29.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. H.S Hundal,
82, Distt Court, SAS Nagar,
Mohali

...Appellant

Versus

Public Information Officer,
O/o PUDA,
Mohali.

First Appellate Authority,
O/o PUDA,
Mohali.

...Respondent

Appellant Case No. 3543 of 2018

Present: None for the Appellant
Sh.Gulshan Kumar, PIO PUDA for the respondent and Sh.K.S.Rupal
Advocate & Sh.Sarvanand Saini, representing WWICS

ORDER:

The case was first heard on 14.01.2019. Since both the parties were absent, the case was adjourned.

The case was again heard on **26.02.2019**. The respondent present pleaded that since the information sought by the appellant is 3rd party information and the 3rd party has not given its consent stating that the disclosure of information would harm the interest of the company and is protected under section 8 & 11(1) of the RTI Act.

The appellant said that there has been large scale building violations in the plot and claimed that the revealing of this information will be in the larger public interest.

Before adjudicating the case, a reasonable opportunity was granted to the 3rd party under section 19(4) of the RTI Act and M/s WWICS Estates Pvt Ltd. Plot No.A-12, Industrial Area, Phase-VI, Mohali was impleaded as a party to the case and directed to appear before the Commission on the next date of hearing to plead their case.

The case was again heard on **02.04.2019**. The respondent present from WWICS Estates Pvt Ltd. Mohali submitted his reply. In the reply, the respondent stated that the information sought by the appellant has got no relevance and the appellant may use the said information against the interest of the company or its directors and disclosure of information may harm the interest of the company. Moreover, the information has no larger public interest and the appellant may use the same to malign and harm the competitive position of the company as the appellant was once engaged in the company for immigration to Canada but was declared disqualified based on the eligibility parameters by the Technical Assessment Team of the Company and since then, the appellant is filing frivolous applications before the different authorities.

The reply of the respondent was taken on the file of the Commission and the case was adjourned for adjudication.

Appellant Case No. 3543 of 2018

The case was again heard on **21.05.2019**. The appellant was absent and vide email has sent reply. The reply of the appellant was taken on the file of the Commission. The case was adjourned for adjudication on the next date of hearing.

The case was last heard on **17.07.2019**. The respondent from the office of PUDA Mohali was present. The advocate representing WWICS reiterated their earlier plea that the information sought by the appellant has got no relevance and the disclosure of information has no larger public interest. The appellant was absent. The case was adjourned.

Hearing dated 29.10.2019:

Both the parties are absent. Sh.K.S.Rupal, advocate on behalf of WWICS Estates Pvt. Ltd. is present.

Having gone through the file and on the basis of the documents on the file, the Commission is of the view that the appellant has not been able to make out a case for higher public interest on the issue at hand, hence the appeal is dismissed and the case is closed.

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

Sd/-

Chandigarh
Dated: 17.07.2019

(Khushwant Singh)
State Information Commissioner

CC to: M/s WWICS Estates Pvt Ltd.Plot No.A-12,
Industrial Area, Phase-VI, Mohali.