

PUNJAB STATE INFORMATION COMMISSION

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Sh. Rajpal Singh,
S/o Sh. Madho Ram,
Street No 2,
Near Gurudwara Sahib,
Village Anoopgarh Urf Machhana,
Tehsil & Distt Bathinda-151401.
M : 9877744530

RTI Application No. 90602

.....Appellant

V/s

**Sh. Daljit Singh, Environmental Engineer,
-cum-Public Information Officer,
O/o Regional Officer,
Punjab Pollution Control Board,
Bathinda.**

**First Appellate Authority,
O/o Senior Environmental Engineer,
Punjab Pollution Control Board,
Bathinda.**

....Respondents

Appeal Case No.700 of 2024

Present: Sh. Rajpal Singh, the appellant.

Sh. Daljit Singh, EO, RO, Bathinda (9878950585) and Sh. Ravideep Singh, EE, RO, Faridkot (7087300282) on behalf of the respondent.

Adv. Amarpreet Singh (9888998001) on behalf of the Third Party.

ORDER

This order may be read with reference to the previous order dated 26.11.2025 and the relevant portion of the same is as follows:

2. *The appellant made the submissions that false FIRs are being registered against him on the one ground or the other as he has sought the information related to a company. He further submits that the FIRs are being lodged by the Police Authorities on the behest of the representatives of the said company. Although no cognizance can be taken at this stage as it is the matter of the competent Court concerned. The appellant further requested that the directions may be issued to the respondent to supply the complete information in this case which is in the larger public interest.*
3. *The Counsel of the 3rd party i.e. M/s BCL Pvt. Ltd Sangat Machhana, Bathinda requested for an adjournment in this case. It is also a fact that a similar request was made by the Counsel on behalf of the 3rd party earlier. As such, the request is allowed with clarification that no further adjournment will be allowed and in case nothing will be received then it will be presumed that they have nothing to say in this case and the case will be decided ex-parte, on merit.*
4. *So far as the respondent is concerned, none is present. Also, no written request has been received in this case which appears that their absence is intentional and willful.*

5. Viewing the attitude in dealing with the RTI application by the respondent casually, Sh. Ravideep Singla, Environment Engineer-cum- Public Information Officer, is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay/denial of the information to the RTI applicant and to show cause why a compensation under section 19(8) of the RTI Act,2005, may not be paid to the appellant for causing willful delay/denial of the information for detriment suffered by him.

In addition to the written reply, the Public Information Officer is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex parte.

6 It is also a fact that the respondent PIO was directed on 6.3.2025 as follows:-

"After hearing both the parties, the respondent PIO is directed to file the submissions that in which order failed samples of water and air of the companies is being maintained in the office. Also, the PIO was directed to file the submissions that in case the repeated samples of water and air are failed then what is the mechanism, in case the same is not being maintained separately."

Accordingly, the respondent sent the reply on 21.4.2025 which was received through email on 22.4.2025, the relevant portion of which is as follows:-

2. That in compliance to order dated 06.03.2025, it is submitted that the record of the samples collected is maintained in common / composite form for all the industries falling under the jurisdiction of Regional Office, Bathinda with regard to sample analysis charges and not with regard to achievement of prescribed standards.

3. That it is pertinent to mention here that regular monitoring / surprise inspections / samplings as per guidelines is conducted from time to time and if any industry fails to comply with the prescribed standards of discharge, action under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 is initiated against the industry for violation of the provisions of the relevant Act by issuance of a Show Cause Notice after approval of the Competent Authority. Whenever repeated violations with respect to emission / effluent standards are observed, each violation is brought to the notice of the Competent Authority for appropriate action. Before taking any action, notice is issued to the industry with an opportunity of hearing before the Competent Authority and record is maintained with regard to the hearings given to the industry. In the present case the applicant has desired information with regard to failed samples of water and air since the inception of the industry. According to the provisions of the Right to Information Act the public authority is not supposed to do search on behalf of the applicant of the entire record and to deduce the information from the complete record so as to supply the same to the applicant. Moreover, the information as desired by the applicant is not maintained by the Board in the form it was desired. The searching of complete record running into thousands of documents in the case file of the industrial unit may be detrimental to the preservation of the record.

7. After perusal of the response filed by the respondent, the PIO is further directed to
 - a. Submit a copy of rules/instructions in case any air/water sample of the company fails;
 - b. Submit a copy of the penalty provisions in case any air/water sample repeatedly fails;
 - c. In case, if it assumed that the company's air/water sample repeatedly fails but the department is maintaining the record in common/composite form for all the industries falling under the jurisdiction of Regional Office then it appears according to the reply filed by the respondent than no action can be/is being taken by the department as the failed sample cannot be retrieved;
 - d. Whether the Regional Office is collecting and testing the sample at their own or the samples are being tested by the other department/head quarter and/or any field office;
 - e. In case, the samples are being tested by the Regional Office then a copy of the sample receipt and dispatch register for two months prior to the date of RTI application i.e. 20.9.2023 be brought alongwith for the perusal of the Commission and in case the samples are being tested by other department/head quarter then this point be forwarded to the said office to remain present along with the register as is being directed under intimation to the Commission.
 - f. The respondent pleaded that the record of the samples collected is maintained in common/composite form for all the industries falling under the jurisdiction then the record of one week prior to the date of RTI application be brought along with on the next date of hearing for perusal of the Commission;
 - g. Whether in case of failure of air/water sample of a company any particular sample analysis charges are being deposited by the company, if so, then the PIO is directed to forward this point to the Accounts Head of the office to remain present for deliberations;
 - h. The respondent PIO submitted the reply, mentioned herein, that the record of the samples collected is maintained in common/composite form for all the industries falling under the jurisdiction of Regional Office Bathinda with regard to sample analysis charges and not with regard to achievement of prescribed standards and on the other hand it has mentioned in the same reply that "3.....whenever

repeated violations with respect to emission/effluent standards are observed each violation is brought to the notice of the competent authority for appropriate action.” – the two statements given by the respondent PIO appears to be contradictory and the respondent PIO is at liberty to clarify;

8. Since, the respondent PIO denied the information that no such data is maintained separately with regard to failure of air/water samples, the PIO-cum-Member Secretary, Punjab Pollution Control Board is impleaded as necessary party in this case to file the reply that whether the submissions made by the PIO –cum-Regional Officer are sustainable in the eyes of law. A copy of the submissions so received from the respondent is also being sent to him along with this order. He is further directed to remain present on the next date of hearing along with the written reply and under the compelling circumstances, he may send his authorized representative to attend the hearing. A copy of the RTI application is also **being sent** to him along with this order.”

2. The respondent, Sh. Ravideep Singla made the written submissions with regard to the show cause notice issued to him, which is taken on record. He further submits that Sh. Daljit Singh has been posted on his place who is also a PIO in this case and he is present. He further tenders unconditional apology and requested to withdraw the show cause notice issued to him.

3. Sh. Daljit Singh, EE-cum-PIO remained present on behalf of the Member Secretary, Punjab Pollution Control Board, Patiala. With regard to the information he submits that the complete information as available on record has already been supplied to the appellant and nothing more is available on record which could be supplied to the appellant. He has also placed on record, a copy of the letter vide which the information was sent to the appellant.

4. After hearing a copy of this order is again being sent to the Member Secretary/Sh. Daljit Singh, EE-cum-PIO, to file their written submissions/additional submissions, if any, with regard to the order issued on 26.11.2025, mentioned herein.

5. Also, the counsel on behalf of third party i.e. M/s BCL Pvt. Ltd. submitted the preliminary objections which are taken on record and also a copy of the same is being sent to the appellant along with this order.

Appeal Case No.700 of 2024

6. In the interest of natural justice, 30 days are given to both the parties to submit their final submissions, if any, failing which the case will be decided on merit as per the procedure established by Law.

7. The order in this case is '**Reserved**', which will be pronounced later on.

(Inderpal Singh)

**Chief Information Commissioner,
Punjab.**

Dated: 21.01.2026

CC:

**Member Secretary-Cum-(By Name)
Public Information Officer,
Punjab Pollution control Board,
Patiala**

**M/s BCL Pvt. Ltd,
Sangat Machhana,
Bathinda**

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Tehsil & Distt Bathinda-151401.
M : 9877744530

RTI Application No. 85774

.....Appellant

V/s

**Sh. Daljit Singh, Environmental Engineer,
-cum-Public Information Officer,
O/o Regional Officer,
Punjab Pollution Control Board,
Bathinda.**

**First Appellate Authority,
O/o Senior Environmental Engineer,
Punjab Pollution Control Board,
Bathinda.**

....Respondents

Appeal Case No.702 of 2024

Present: Sh. Rajpal Singh, the appellant.

Sh. Daljit Singh, EE, RO, Bathinda (9878950585) and Sh. Ravideep Singh, EE,

RO, Faridkot (7087300282) on behalf of the respondent.

Adv. Amarpreet Singh (9888998001) on behalf of the Third Party.

ORDER

This order may be read with reference to the previous order dated 26.11.2025 and the relevant portion of the same is as follows:

- “2. The appellant submits that the directions may be issued to the respondent-Public Information Officer to supply the complete information. However, the counsel of third party i.e. BCL Proviate Ltd. requested for an adjournment to file the written submissions. Accordingly, the request is accepted.
3. Viewing the attitude in dealing with the RTI application by the respondent casually, Sh. Sh. Ravideep Singla-cum- Public Information Officer, is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful

delay/denial of the information to the RTI applicant and to show cause why a compensation under section 19(8) of the RTI Act,2005, may not be paid to the appellant for causing willful delay/denial of the information for detriment suffered by him.

In addition to the written reply, the Public Information Officer is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

4. The respondent-Public Information Officer is further directed to ensure the compliance of the order dated 6.3.2025 in letter and spirit.”

2. The respondent, Sh. Ravideep Singla made the written submissions with regard to the show cause notice issued to him, which is taken on record. He further submits that Sh. Daljit Singh has been posted on his place who is also a PIO in this case and he is present. He further tenders unconditional apology and requested to withdraw the show cause notice issued to him.

3. Sh. Daljit Singh, EE-cum-PIO remained present on behalf of the Member Secretary, PPCB, Patiala. With regard to the information pertaining to Point No. 1 and 3, he submits that the complete information as available on record has already been supplied to the appellant and nothing more is available on record which could be supplied to the appellant. He has also placed on record, a copy of the letter vide which the information was sent to the appellant. With regard to Point No. 2, the respondent submitted that in the agenda note there is a mention of internal correspondence of the department so the same has been denied.

4. It is also a fact that under the provisions of the RTI Act, 2005, there is a specific clause regarding the exemptions but the respondent cannot claim as a matter of right rather they have to demonstrate as to which part of particular section of the exemption is applicable in this case.

5. After hearing a copy of this order is again being sent to the Member Secretary/Sh. Daljit Singh, EE-cum-PIO, to file their written submissions/additional submissions, if any, with regard to the order issued on 26.11.2025, mentioned herein.

6. Also, the counsel on behalf of third party i.e. M/s BCL Pvt. Ltd. submitted the preliminary objections which are taken on record and also a copy of the same is being sent to the appellant along with this order.

7. In the interest of natural justice, 30 days are given to both the parties to submit their final submissions, if any, failing which the case will be decided on merit as per the procedure established by Law.

8. The order in this case is 'Reserved', which will be pronounced later on.

(Inderpal Singh)
Chief Information Commissioner,
Punjab.

Dated: 21.01.2026

CC:

Member Secretary-Cum-(By Name)
Public Information Officer,
Punjab Pollution control Board,
Patiala

M/s BCL Pvt. Ltd,
Sangat Machhana,
Bathinda

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Tehsil & Distt Bathinda-151401.
M : 9877744530

RTI Application No. 90513

.....Appellant

V/s

Public Information Officer,
O/o Regional Officer,
Punjab Pollution Control Board,
Bathinda.

First Appellate Authority,
O/o Senior Environmental Engineer,
Punjab Pollution Control Board,
Bathinda.

....Respondents

Appeal Case No.701 of 2024

Present: Sh. Rajpal Singh, the appellant.

Sh. Daljit Singh, EE, RO, Bathinda (9878950585) and Sh. Ravideep Singh, EE, RO, Faridkot (7087300282) on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 26.11.2025.

2. The respondent, Sh. Ravideep Singla made the written submissions with regard to the show cause notice issued to him, which is taken on record. He further submits that Sh. Daljit Singh has been posted on his place who is also a PIO in this case and he is present. He further tenders unconditional apology and requested to withdraw the show cause notice issued to him.

3. Also, the respondent, Sh. Daljit Singh reiterated the submissions already made in this case. After hearing a liberty is granted to both the parties to file their final submissions within 30 days day from today i.e. 21.01.2026, failing which the case will be decided on merit as per the procedure established by Law.

4. The order in this case is '**Reserved**', which will be pronounced later on.

(Inderpal Singh)

Chief Information Commissioner,
Punjab.

Dated: 21.01.2026

CC:

D.K Industries,
Dabwali Road,
Village Gehri Gutter,
Distt. Bathinda

