



Sh. Harmilap Singh Grewal (9356200018)
H. No. 22173, Street No. 12/ 2,
Power House Road, Bathinda.

Appellant

Versus

Public Information Officer
O/o State Transport Commissioner, Punjab,
Chandigarh.

First Appellate Authority
O/o State Transport Commissioner, Punjab,
Chandigarh.

Respondent

Appeal Case No.: 3958 of 2022

Through CISCO WEBEX

Present: Appellant: Sh. Harmilap Singh through CISCO WEBEX
Respondent: Ms. Kulwinder Kaur, Superintendent –cum- PIO along with Sh. Kuljeet Katoch,
Automobile Engineer, (8567928946) at PSIC Office.

ORDER:

1. This order may be read with reference to the previous orders dated 20.12.2022 and 28.03.2023.
2. In today's hearing both the parties are present.
3. The appellant states that he has received nothing with regard to his RTI application till date.
4. The respondents state that legal opinion was sought from the Deputy Advocate General, Punjab, Sh. Abhay Pal Singh Gill on 02.02.2023 which is as under:

UO File No. 52 dated 30.01.2023.

This matter was marked to me for legal opinion on 30.01.2023 as to whether it would be prudent to hand over the Vehicle Hand Over Form or a copy of the register as directed by the CDPO check. Plain reading of the application as well as Right to Information Act, 2005 (8) (c)(g) and (i) as reproduced below would read.

8. **Exemption from disclosure of information – (1)** Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen,—
- (c) information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature;
- (g) information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;
- (i) cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers: Provided that the decisions of Council of Ministers, the reasons thereof, and the material on the basis of which the decisions were taken shall be made public after the decision has been taken, and the matter is complete, or over:

Provided further that those matters which come under the exemptions specified in this section shall not be disclosed;

Therefore, the information so sought should not be disclosed to the public at this stage.

If the information is provided to the applicant, it will have risk factors towards MPs, MLAs and other concerned officers regarding their security. Therefore, in my opinion, it is a fit case for filing appeal.

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5. After having detailed discussion with both the parties and examining the case file, it is observed that appellant filed RTI application dated 16.04.2022 sought for information as under:

‘Provide me the copy of vehicle handover form of the official vehicles issued to the ministers and legislators of the present assembly’.

Both the parties are disagreeing with each other in this instant matter. I am of the considered view that, an important matter is involved in the instant appeal-case. Hence, the case-file be sent to the Deputy Registrar for placing it before the Hon’ble Chief Information Commissioner, Punjab for constitution of a Division Bench or Larger Bench to decide this issue.

6. Copies of this decision be sent to the parties **through registered post**.

Dated: 11.05.2023

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**

Copy to :

The Deputy Registrar
Encl. Case File