

**PUNJAB STATE INFORMATION COMMISSION  
RED CROSS BUILDING, NEAR ROSE GARDEN,  
SECTOR 16, CHANDIGARH.**

**Ph: 0172-2864116, Email: - [psic26@punjabmail.gov.in](mailto:psic26@punjabmail.gov.in)**

**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**

**Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)**



Shri Hardeep Singh,  
R/o #210, Sudarshan Nagar,  
Amritsar.

.....Complainant.

Versus

**Public Information Officer**  
O/o Regional Transport Authority,  
Ludhiana.

**Remanded Back to  
First Appellate Authority**  
O/o Commissioner,  
Municipal Corporation,  
Ludhiana.

....Respondents

**CC No.800 of 2020**

**Present:** (i) **Shri Hardeep Singh, Complainant.**  
(ii) **Shri Manish Kumar, Section Officer/PIO, O/o Secretary, RTA Ludhiana.**

**ORDER:**

**(Heard through Cisco Webex)**

1. The RTI application is dated 17.09.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 23.10.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 01.02.2021 by the Commission through Cisco Webex. Shri Hardeep Singh, complainant attends the hearing through Cisco Webex. He states that he has not received any reply from the PIO.
3. Shri Manish Kumar, Section Officer/PIO, O/o R.T.A. Ludhiana attends the hearing through Cisco Webex. He states that the complainant has sought information regarding vehicle No.PB-10-CH-8767 which relates to the year 2008. He further states that digitization of records was started in the year 2012 and no scanning facility was available prior to 2012 and the work was manual and that the record for the said period has been destroyed as per Government instructions. As such, the same cannot be provided.

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**CC No.800/2020**

4. Post deliberations with the Complainant and PIO, the Bench directs the PIO to file an affidavit within next seven days duly signed by the PIO and attested by the Notary Public to the effect that the information relates to the year 2008 and digitization scanning facility was started in the year 2012. It be further stated that the record relating to the said years has been destroyed as per Govt. instructions and as such details sought cannot be provided as they are of 2008 vintage. It be also stated that the statement made is true and correct. Original copy of affidavit be sent to the complainant and photocopy of the same be sent to the Commission for record.

5. The PIO assures the Bench to supply affidavit to the appellant within seven days as directed by the Bench.

6. In view of the assurance given by the PIO, the complaint case is **disposed off and closed**. Copies of the order be sent to the parties.

**Chandigarh  
01.02.2021**

**Sd/-  
(Lt Gen Ajae Kumar Sharma,(Retd))  
State Information Commissioner, Punjab**

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Shri Vikul S/o Shri Kul Bhushan,  
R/o # 377, Puda Colony,  
Malout, District Sri Muktsar Sahib.

.....Complainant.

Versus

**Public Information Officer**

O/o General Manager,  
Punjab Roadways,  
Hoshiarpur.

**Remanded Back to  
First Appellate Authority**

O/o Director, State Transport,  
Punjab, Sector-17, Chandigarh.

....Respondents

**CC No. 798 of 2020**

**Present:** (i) **Shri Vikul, Complainant.**  
(ii) **Shri Ranjit Singh Bagga, General Manager, Punjab Roadways,  
Hoshiarpur/PIO.**

**ORDER:**

**(Heard through Cisco Webex)**

1. The RTI application is dated 29.08.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 21.10.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 11.01.2021 by the Commission through Cisco Webex.
3. Shri Ranjit Singh Bagga, General Manager/PIO, Punjab Roadways, Hoshiarpur attends the hearing through Cisco Webex. He states that the reply has been given to the complainant vide letter dated 04.11.2020 and vide letter dated 28.01.2021 to the effect that the information relates to third party and under Section 8(1)(d) of RTI Act, the consent was sought from the concerned person Gurpal Singh S/o Shri Piara Singh, Ex-Contractual driver who has not given his consent to share information about him. He also states that the requisite documents have also been sent by e.mail to the Commission.
4. On the asking of the Bench as to why the information is needed by him about Shri Gurpal Singh who is a third party. The information sought is personal information and as such serves no public activity or interest. He states that the said person has got appointment on the basis of fake certificates fraudulently for which he requires the information as sought by him vide his RTI application.



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**CC No.798/2020**

5. Post deliberations with the Complainant and the PIO, the Bench observes that the complainant levels serious charge of corruption in matter of appointment of the said Gural Singh and as such over rules the denial of information under Section 8(1)(j) in the instant complaint case. Since, the complainant has levelled charges of fraudulent enrolment, it is directed that First Appellate Authority hear the case as per provisions of RTI Act and provide the information.

6. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

7. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Shri Bhupinder Singh Rai, Director, State Transport, Punjab, Chandigarh. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed.** Copy of the order be sent to the parties.

**Chandigarh  
01.02.2021**

**Sd/-  
(Lt Gen Ajae Kumar Sharma,(Retd))  
State Information Commissioner, Punjab**

**Copy to (By Regd. Post):**

**First Appellate Authority**  
Shri Bhupinder Singh Rai  
Director, State Transport, Punjab  
Sector-17, Chandigarh.

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Shri Ashok Kumar Garg,  
R/o H.No.30129, Street No.1,  
Paras Ram Nagar,  
Bathinda.

.....Complainant.

Versus

**Public Information Officer**  
O/o State Transport Commissioner,  
Punjab, Sector-17, Chandigarh.

**Remanded Back to  
First Appellate Authority**  
O/o Deputy State Transport Commissioner,  
Punjab, Sector-17, Chandigarh.

....Respondents

**CC No. 791 of 2020**

**Present:** (i) **Complainant- absent.**  
(ii) **Shri Gurpal Singh, APIO O/o State Transport Commissioner, Punjab,  
Chandigarh, in person before the Bench.**

**ORDER:**

**(Contacted on Mobile Phone)**

1. The RTI application is dated 16.03.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 19.10.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 01.02.2021 by the Commission through Cisco Webex.
3. Shri Ashok Kumar Garg, complainant has not come to attend the hearing through Cisco Webex. As such, he is contacted on mobile phone. He states that he has sought information with regard to a complaint made by him to the Chief Secretary, Punjab vide his RTI application dated 16.03.2020, but he has not received any information on the issue so far.
4. Shri Gurpal Singh, APIO O/o S.T.C. Punjab, Chandigarh comes present in person before the Bench and states that another date is required by them to supply the requisite information.
5. Post deliberations with the Complainant, APIO, and perusal of the case file as also the nature of information sought by the complainant as the complainant has made the said complaint against the DTO/officials of RTA Bathinda, the Bench observes that grievance of the complainant first is required

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**CC No.791/2020**

to be addressed by the First Appellate Authority, since it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievance of the complainant.

5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

6. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Shri Manjit Singh, Deputy State Transport Commissioner, Punjab, Chandigarh. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

7. In view of the above, **the case is disposed off and closed.** Copy of the order be sent to the parties.

**Chandigarh  
01.02.2021**

**Sd/-  
(Lt Gen Ajae Kumar Sharma,(Retd))  
State Information Commissioner, Punjab**

**Copy to (By Regd. Post):**

**First Appellate Authority**  
Shri Manjit Singh  
Deputy State Transport Commissioner,  
Punjab, Sector-17, Chandigarh.