

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

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



Shri Jasbir Singh
R/o Village Bolapur Jhabewal,
Post Office Ramgarh,
District Ludhiana

.....Appellant

Versus

Public Information Officer
O/o Executive Officer,
Municipal Council, Sahnewal,
District Ludhiana.

First Appellate Authority
O/o Executive Officer,
Municipal Council, Sahnewal,
District Ludhiana.

....Respondents

AC No.1539 of 2020

ORDER

1. The RTI application is dated 02.08.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 05.09.2019 and the second appeal was filed in the Commission on 16.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The case was scheduled to be heard today through V.C. at DC Office, Ludhiana. However, on contacting the official concerned with the V.C. facility, it is reported that the slot has been booked for a meeting to be taken by the Chief Secretary to Government of Punjab, hence, the slot for holding Video Conferencing in D.C. Office, Ludhiana would not be available to the Bench.

3. In view of the above, the matter is adjourned. **To come up for hearing on 30.09.2020 at 11.30 AM through V.C in the office of DC Ludhiana.** Copies of order be given to the concerned parties.

**Chandigarh
03.08.2020**

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

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Shri Gulshan Kumar,
S/o Shri Devi Dayal,
R/o Village Harna, Tehsil &
District Fatehgarh Sahib.

.....Appellant

Versus

Public Information Officer
O/o Punjab Home Guards,
Fatehgarh Sahib.

First Appellate Authority-cum-
Deputy Commandant General,
O/o Home Guards, Chandigarh.

....Respondents

AC No.1467 of 2020

Present: (i) **Shri Gulshan Kumar, Appellant**
(ii) **Ms. Amritpal Bhatti, District Commandant, Home Guards,
Fatehgarh Sahib/PIO.**

ORDER

Heard through Video Conferencing

1. The RTI application is dated 25.02.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 20.04.2020 and the second appeal was filed in the Commission on 09.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.08.2020 by the Commission through Video Conferencing facility in the office of D.C. Fatehgarh Sahib.
3. The case has been heard through V.C. at DC Office, Fatehgarh Sahib. Shri Gulshan Kumar, appellant comes present for the hearing. He states that he has been supplied partial information only. He has visited O/o PIO many times but receipt of complete information still eludes him.

Cont...P-2



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AC No.1467/2020

4. The PIO, Ms. Amritpal Bhatti, District Commandant, Home Guards, Fatehgarh Sahib comes present. She states that initially the appellant was denied the information asked for by him vide letter dated 15.04.2020 on the ground that the information sought being third party, consent of the person concerned was needed and he had declined his consent for sharing the information. However, subsequently the First Appellate Authority –cum-Deputy Commandant General, Home Guards and Civil Defence, Punjab, Chandigarh vide his letter dated 06.07.2020, directed that the petitioner be provided the information. Same has been done vide their letter dated 29.07.2020. Then, the PIO, on the asking of the Bench, shows the letter to the appellant.. But the appellant shows his dissatisfaction over the information supplied.

5. The Bench examined and deliberated on the case in detail. The Bench observed that the information sought by the appellant was third party information and served no public activity or interest and thus the information has been rightly denied by the PIO. RTI Act Section 8(1)(j) refers.

6. In view of the above, the Bench feels that no further cause of action is left in the matter. **The appeal is disposed off and closed.** Copies of the orders be sent to the parties concerned.

**Chandigarh
03.08.2020**

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

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Shri Daljit Singh Saini
S/o Shri Hakam Singh
R/o # 8A, Street No.1,
Malhotra Colony, Rupnagar.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council, Rupnagar..

First Appellate Authority

O/o Executive Officer,
Municipal Council, Rupnagar..

....Respondents

AC No.1491 of 2020

Present:

- (i) Shri Daljit Singh Saini, Appellant
- (ii) None

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 07.02.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 08.04.2020 and the second appeal was filed in the Commission on 11.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.08.2020 by the Commission through Video Conferencing facility in the office of D.C. Rupnagar.
3. The case has been heard through V.C. at DC Office, Rupnagar. Shri Daljit Singh Saini, appellant comes present for the hearing. He states that he has not been supplied any information either by the PIO or after filing first appeal before the First Appellate Authority.
4. Neither the PIO himself has come present to attend the hearing through V.C. nor he has deputed any official to attend the hearing on his behalf.

Cont..P-2



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AC No.1491/2020

5. The PIO, O/o Executive Officer, Municipal Council, Rupnagar is issued show cause notice to explain his absence and to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for not supplying the information to the appellant. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

7. The PIO is also directed to supply complete information to the appellant before the next date of hearing. The PIO is also directed to come in person on the next date of hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.09.2020 at 11.30 AM through V.C. in the office of D.C. Rupnagar.** Copies of the order be sent to the concerned parties.

**Chandigarh
03.08.2020**

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

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Shri Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

Public Information Officer

O/o Regional Transport Authority,
Jalandhar.

First Appellate Authority-cum-

State Transport Commissioner,
Punjab, Sector-17C, Chandigarh.

....Respondents

AC No.1562 of 2020

Present:

- (i) Shri Manjinder Singh, Appellant in person.
- (ii) None on behalf of the PIO

ORDER

1. The RTI application is dated 14.01.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 20.02.2020 and the second appeal was filed in the Commission on 17.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.08.2020 by the Commission through Video Conferencing facility in the office of D.C. Jalandhar.

3. Neither the PIO nor any official on behalf of the PIO comes present to attend the hearing through V.C. at DC Office, Jalandhar. A letter dated 29.07.2020 has, however been received through e.mail in the Commission, wherein it has been stated that the information on Point no.1 has been supplied to the appellant vide letter dated 20.01.2020.

Cont...P-2



-2-

AC No.1562/2020

However, regarding Point No.2, the appellant has been asked to apprise them of the vehicles about which the record is required by him. Ms. Ambika, Section Officer, O/o Secretary, R.T.A. was contacted on phone to seek clarification regarding the reply dated 20.01.2020. She states that due to COVID-19, she is home quarantined and is not able to give any comments in this regard.

4. The PIO is directed to call the appellant to their office before the next hearing by tying up with him. The appellant will be made available the relevant record to identify the information required by him. The PIO will provide the information, so identified, to the appellant.

5. With the above directions, the matter is adjourned. To come up for hearing on **30.09.2020 at 11.30 AM through V.C. at D.C. Office, Jalandhar**. Copies of the order be sent to the parties.

**Chandigarh
03.08.2020**

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

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Shri Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

Public Information Officer

O/o Regional Transport Authority,
Bathinda.

First Appellate Authority

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

....Respondents

AC No.1563 of 2020

Present:

- (i) **Shri Manjinder Singh, Appellant in person.**
- (ii) **Shri Harivansh, Data Entry Operator, O/o RTA Bathinda
On behalf of the PIO**

ORDER

Heard through Video Conferencing

1. The RTI application is dated 18.01.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 02.03.2020 and the second appeal was filed in the Commission on 17.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The case has been heard through Video Conferencing facility at Bathinda. The appellant Shri Manjinder Singh comes present in person at Commission's office at Chandigarh. He states that he has not been supplied any information.
3. Shri Harivansh, Data Entry Operator comes present to attend the hearing on behalf of the PIO. He refers to a letter dated 28.07.2020 sent by e.amil vide which the information has been supplied to the appellant. The appellant denies having received any such letter.

Cont.. P-2



-2-

AC No.1563/2020

4. On the asking of the Bench, the appellant shows a letter whereby he has been called by the PIO to inspect the record and identify the information on 04.08.2020. Accordingly, the PIO is directed to allow the appellant to peruse the relevant records on his visit to their office on 04.08.2020. After perusal of the record, the appellant will identify the information required by him. The PIO is directed to provide him the information as may be identified by the appellant.

6. The PIO is also directed to file an affidavit duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.1563 of 2020 has been supplied to the appellant. Nothing has been concealed therein. The statement made is correct and authentic. Original affidavit be sent to the appellant and photocopy be sent to the Commission for record.

7. With the above directions, the matter is adjourned. To come up for hearing on **30.09.2020 at 11.30 AM through V.C. at D.C. Office, Bathinda**. Copies of the order be sent to the parties.

**Chandigarh
03.08.2020**

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

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Shri Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

Public Information Officer
O/o Regional Transport Authority,
Faridkot.

First Appellate Authority
O/o State Transport Commissioner,
Punjab, Sector-17C, Chandigarh.

....Respondents

AC No.1564 of 2020

Present: (i) **Shri Manjinder Singh, Appellant in person.**
(ii) **None**

ORDER

1. The RTI application is dated 18.01.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 02.03.2020 and the second appeal was filed in the Commission on 17.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.08.2020 by the Commission through Video Conferencing facility in the office of D.C. Faridkot.

3. An attempt was made to contact the PIO through V.C. at DC Office, Faridkot but due to poor connectivity, the same could not materialize.

4. The appellant Shri Manjinder Singh comes present in person at Commission's office at Chandigarh. He states that since he has been supplied information by the PIO to his satisfaction, as such, version of the PIO is not required to be heard. He also gives his consent for the closure of the appeal case.

Cont...P-2



-2-

AC No.1564/2020

5. In view of the above, no further cause of action is left in the matter. **The appeal is disposed off and closed.** Copies of the order be sent to the parties.

**Chandigarh
03.08.2020**

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

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Shri Gurvinder Singh
S/o Shri Jagdish Singh
VPO Mari Buchian,
District Gurdaspur

..... Complainant

Versus

Public Information Officer
O/o Deputy Commissioner,
Pathankot.

....Respondent

CC No.198 of 2020

Present: **None.**

ORDER

1. The RTI application is dated 20.10.2019 vide which the appellant has sought information as enumerated in his RTI application. The appeal was filed in the Commission on 24.02.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.08.2020 by the Commission through Video Conferencing facility in the office of D.C. Pathankot.
3. The appellant Shri Gurvinder Singh has not come present to attend the hearing through V.C. at DC Office, Pathankot.
4. Neither the PIO himself has come present to attend the hearing nor he has deputed any of his officials to attend the hearing on his behalf. The Bench views the absence of the PIO adversely.
5. The PIO, O/o Deputy Commissioner, Pathankot is issued show cause notice to explain his absence and to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for not supplying the information to the appellant. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

Cont..P-2



-2-

CC No.198/2020

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

7. The PIO is also directed to supply complete information to the appellant before the next date of hearing. The PIO is directed to come in person on the next date of hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.09.2020 at 11.30 AM through V.C. in the office of D.C. Pathankot.** Copies of the order be sent to the concerned parties.

**Chandigarh
03.08.2020**

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

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Shri Shiv Narayan Jangra
S/o ShriRamji Dass,
Raftaar News Channel
Press Complex, Arna Barna Chowk,
Patiala.

.....Appellant

Versus

Public Information Officer

O/o PEPSU Road Transport Corporation,
Patiala.

First Appellate Authority,

O/o PEPSU Road Transport Corporation,
Patiala.

...Respondents

AC No.1621/2020

AC No. 1622/2020

Alongwith

AC No.1619/2020

Present:

- (i) Appellant- absent
- (ii) Shri Amanvir Singh Tiwana, Traffic Manager, PRTC, Patiala/PIO

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 08.11.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 11.12.2019 and the second appeal was filed in the Commission on 19.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Since the information sought vide RTI application in AC No.1621/2020, AC No.1622/2020 and AC No.1619/2020 is the same, as such, all these appeal cases have been clubbed together.

3. The cases have been heard through Video Conferencing facility at Patiala. The appellant Shri Shiv Narayan Jangra has not come present to attend the hearing through Video Conferencing.

Cont..P-2



-2-

AC No.1621/2020
AC No. 1622/2020
Alongwith
AC No.1619/2020

4. Shri Amanvir Singh Tiwana, Traffic Manager, PRTC, Patiala/PIO comes present to attend the hearing. He states that another case AC No.4102/2019 has been disposed off by this Hon'ble Bench, in which the appellant had sought similar information as asked for in the instant appeal cases. He further states that in the said case, the appellant had been supplied the information as available in the official records. He further states that an affidavit has also been filed in AC No.4102 of 2019 to the effect that the information as +65available in the official records has been supplied. Nothing has been concealed. The statement made is correct and authentic.

5. Shri Shiv Narayan Jangra, appellant has not come present for the hearing through V.C and hence is contacted on telephone. On enquiring from him, he states that no information has been received by him. Then he is apprised of the version of the PIO Shri Amanvir Singh Tiwana that similar information has been supplied to him in AC No.4102/2020 and an affidavit in this regard has also been given by the department to the effect that nothing beyond the information provided is available in the official records.

6. In view of the difference in opinion of the PIO and the appellant, another hearing in the these appeal cases is scheduled and both PIO and the appellant are directed to come present for the hearing through V.C.

7. In view of the above, the matter is adjourned. **To come up for hearing on 30.09.2020 at 11.30 AM through V.C. in the office of D.C. Patiala.** Copies of order be given to the concerned parties.

Chandigarh
03.08.2020

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

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Shri Gurdhian Singh
S/o Shri Labh Singh,
Village Bhanra, Tehsil Wazidpur,
District Patiala.



.....Appellant

Versus

Public Information Officer

O/o PEPSU Road Transport Corporation,
Head Office, Patiala.

First Appellate Authority,

O/o PEPSU Road Transport Corporation,
Head Office, Patiala.

...Respondents

AC No.1576/2020

Present: (i) Appellant- absent
(ii) Shri Amanvir Singh Tiwana, Traffic Manager, PRTC, Patiala/PIO

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 03.02.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 10.03.2020 and the second appeal was filed in the Commission on 16.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The case has been heard through Video Conferencing facility at Patiala. The appellant Shri Gurdhian Singh has not come present to attend the hearing through V.C.

3. Shri Amanvir Singh Tiwana, Traffic Manager, PRTC, Patiala/PIO comes present to attend the hearing. He states that the information on Point No.1 of RTI application has been provided to the appellant. However, regarding Point no.2 & 3, the appellant has been informed that the information is not being maintained in the format he has asked for. The Bench agrees that the PIO is not mandated to supply the information as per format asked for by the appellant.

Cont.P-2



-2-

AC No.1576/2020

4. Since the appellant is absent, he is contacted through mobile phone, He is apprised of the version of the PIO. He shows his dis-satisfaction over the information supplied to him.

5. Post deliberations, the PIO is directed to call the appellant to his office on any working day to peruse the relevant record. After perusal of the record, the appellant will identify the information required by him. The PIO is directed to provide him the information as may be identified by the appellant.

6. The PIO is also directed to file an affidavit duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.1576 of 2020 has been supplied to the appellant. Nothing has been concealed therein. The statement made is correct and authentic. Original affidavit be sent to the appellant and photocopy be sent to the Commission for record.

7. With the above directions, the matter is adjourned. To come up for hearing on **30.09.2020 at 11.30 AM through V.C. at D.C. Office, Patiala**. Copies of the order be sent to the parties.

**Chandigarh
03.08.2020**

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