

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

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Shri Jasbir Singh
Guru Nanak Colony,
Village Bolapur Jhabewal,
PO Ramgarh, Distt. Ludhiana.

...Appellant

Versus

Public Information Officer
O/o Director, State Transport,
Punjab, Sector-17B, Chandigarh.

First Appellate Authority.
O/o Director, State Transport,
Punjab, Sector-17B, Chandigarh.

..Respondents

AC No.737/2021

Present: (i) None
(ii) **Shri Sukhwinder Singh, Superintendent/PIO O/o Director,
State Transport, Punjab, along with Shri Darshan Singh, Senior
Assistant, in person before the Bench.**

ORDER:

1. This order may be read with reference to the order dated 05.04.2021 passed by this Bench on the previous hearing.
2. The instant appeal case was scheduled to be heard today through Video Conferencing facility in the office of D.C. Ludhiana. However, due to power failure in Punjab State Information Commission as well as due to technical glitch, the hearing through V.C. could not be held.
3. Shri Sukhwinder Singh, Superintendent/PIO O/o Director, State Transport, Punjab, along with Shri Darshan Singh, Senior Assistant, comes present before the Bench in person, his version in the instant appeal case is heard. He states that the appellant was sent reply to his RTI application vide letter dated 14.11.2019 within the time frame laid down under the RTI Act, stating therein that the information sought by him relates to different Depots of Punjab Roadways and as such, the said information has to be supplied by the respective PIOs of the offices of General Managers of Punjab Roadways Depots. He further states that the penalty has been incorrectly imposed on the PIO as the PIO was in the bonafide belief that the appellant will take action as per their letter dated 14.11.2019 but he instead filed second appeal before the Hon'ble Commission. He, therefore, requests for waiving off the penalty as the requisite information now stands supplied to the appellant vide letter dated 23.06.2021, after collecting the same from Depots in the State.

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4. The appellant Shri Jasbir Singh is contacted on mobile phone. He states that he has received the information and is satisfied with the same and also gives his consent to close the case.

5. The Bench, on perusal of the reply dated 14.11.2019 given by the PIO to the appellant, though is convinced that the reply has been given to the appellant well in time, but there has been no intimation to the Commission in this regard. Since the PIO had failed to come present on three consecutive hearings and no such averment was made before the Bench, the Bench was in its power to impose penalty on the PIO. After going through the Second Appeal dated 13.03.2020 filed by the appellant whereby the appellant had admitted the receipt of letter dated 14.11.2019 and that the information has been supplied to the appellant to his satisfaction, after collecting the same from different Depots under the control of Director, State Transport, Punjab, the Bench, deems it appropriate to take a lenient view and decided to change its decision regarding imposition of penalty on the PIO. The imposition of penalty of Rs.5,000/- imposed by the Bench during its hearing on 08.09.2020 is hereby dropped.

6. In view of the position explained in para 5 above, the penalty imposed stands dropped/cancelled. Since the appellant has received the information and given his consent to close the case, no further cause of action is left in the instant appeal case. **The appeal case is hereby disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh
Dated:05.07.2021

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

