

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

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APPEAL CASE NO. 1562 of 2017

Shri Simranjeet Singh
S/o Sh. Jagdish Singh,
H. No. 93/2, Adarsh Nagar,
Basti Mithu Road, Jalandhar.

...Appellant

Versus

Public Information Officer,
O/o DTO-cum- Secretary,
Regional Transport Authority,
Jalandhar.

First Appellate Authority,
O/o State Transport Commissioner, Punjab,
SCO No. 177-178, Sector-17-B, Chandigarh.

...Respondents

PRESENT: None for the Appellant.
Ms. Nain Bhullar, P.C.S. Secretary –cum- PIO

ORDER:

This order may be read with reference to the previous order dated:
24.04.2019.

2. In this case, Shri Simranjeet Singh, Appellant, vide his RTI application dated: 08.03.2017 addressed to the PIO O/o District Transport Officer, Jalandhar, has demanded certain information i.e. *'please allow the inspection and provide the details of the heavy licenses issued from the period of November, 2016 to till the information is provided.'* On getting no information, he filed First Appeal dated: 12.04.2017 before the First Appellate Authority. Getting no response from the First Appellate Authority also, he filed a Second Appeal dated: 06.06.2017 with the Commission. Accordingly, a notice of hearing was issued to the parties for 25.07.2017.

3. During the hearing dated: 25.07.2017 and 29.08.2017, the Appellant stated that no information had been supplied to him by the Respondent – PIO till date. However, the Respondent – PIO was absent.

4. During the hearing dated: 04.10.2017, the Appellant was absent and the Respondent stated that the sought for information has been supplied to the Appellant vide letter no. 2377-79/R.T.A., dated: 03.10.2017, which is taken on record.

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5. During the hearing dated: 09.11.2017, both the parties were present and it was mutually agreed by the parties for inspection of record on 21.11.2017 or 22.11.2017 at 11.00 AM, as requested by the Appellant.

6. During the hearing dated: 19.12.2017, 07.02.2018, 20.03.2018 & 03.05.2018 none of parties had bothered to attend the Court.

7. During the hearing dated: 19.06.2018, the Appellant had reiterated his old stand that no information has been supplied till date. However, Respondent - PIO was again absent.

8. During the hearing dated: 12.09.2018, both the parties were present and RTI application discussed in the Court, and again they were mutually agreed for inspection of record on 24.09.2018 or 25.09.2018.

9. During the hearing dated: 05.12.2018, 15.01.2019 and 06.02.2019 again the Appellant did not bother to attend the Court.

10. During the hearing dated: 06.03.2019, the Appellant was directed to visit the office of Respondent to identify the record for the demanded information and collect the same from the Respondent on the spot.

11. During the hearing dated: 24.04.2019, the Appellant had stated that he went to the RTA Office, Jalandhar on 11.04.2019 for inspection instead of mutually agreed date on 13.03.2019 and he had also stated that during his visit, the RTA department informed him that all the record has been scanned and is available on Computer. However, an e-mail dated 23.04.2019 from the respondents was received in the Commission Office stating therein that the Appellant on his visit to their office on 11-04-2019 was guided to visit the Track and was allowed to inspect the record but instead of inspection of the record, he insisted that the concerned employee may give in writing that complete record and files are on electronic mode and requests for an adjournment.

12. In today's hearing, the Appellant is again absent and nothing has been heard from him about the receipt of information.

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13. Ms. Nain Bhullar, P.C.S. Secretary –cum – PIO O/o Regional Transport Authority, Jalandhar appears in person and states that the Appellant is asked to inspect the record, because the sought for information is very voluminous and has also asked to specify the particular information, which he wanted to inspect but he did not do so. Therefore, he was asked to come to their office for 15-20 days for two hours daily to inspect the relevant record. But the Appellant did not turn up.

14. After examining the case file, it is revealed that the Appellant was advised to visit the office of the PIO many times for inspection/identification of record but it has been observed that neither had he visited the RTA Office nor he inspected the record. The Appellant's act and conduct shows that he is not interested in getting the information but just harassing the Respondent as well as the Commission.

15. The Hon'ble Supreme Court in CA No. 6456 of 2011 @ SLP (C) No.9755/2009 in **Central Board of Education vs. Aditya Bandhopadhyay and others** decided on 9.8.2011, observed that:-

"The right to information is a cherished right. Information and right to information are intended to be formidable tools in the hands of responsible citizens to fight corruption and to bring in transparency and accountability. The provisions of RTI Act should be enforced strictly and all efforts should be made to bring to light the necessary information under clause (b) of section 4(1) of the Act which relates to securing transparency and accountability in the working of public authorities and in discouraging corruption. But in regard to other information, (that is information other than those enumerated in section 4(1)(b) and (c) of the Act), equal importance and emphasis are given to other public interests (like confidentiality of sensitive information, fidelity and fiduciary relationships, efficient operation of governments, etc.). Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquillity and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising 'information furnishing', at the cost of their normal and regular duties." (Emphasis provided).

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16. In view of the observations noted above, the case is hereby ordered to be **closed and disposed off**. Copies of the order be sent to the parties.

**Chandigarh
07.08.2019**

Sd/-
(Hem Inder Singh)
State Information Commissioner

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PRESENT: None for the Appellant.
Ms. Nain Bhullar, P.C.S. Secretary –cum- PIO

ORDER: This order may be read with reference to the previous order dated:
24.04.2019.

2. In this case, Shri Simranjeet Singh, Appellant, vide his RTI application dated: 08.03.2017 addressed to the PIO O/o District Transport Officer, Jalandhar has demanded certain information i.e.

'1. Please provide the video recording of the test conducted for the passing of driving license from the period of January 2047 to till the information provided.'

2. Also provide the video recording of the track while passing the vehicles from the period of January 2017 to till the information provided.'

On getting no information, he filed First Appeal dated: 12.04.2017 before the First Appellate Authority. Getting no response from the First Appellate Authority also, he filed a Second Appeal dated: 06.06.2017 with the Commission. Accordingly, a notice of hearing was issued to the parties for 25.07.2017.

3. During the hearing dated: 25.07.2017 and 29.08.2017, the Appellant stated that no information had been supplied to him by the Respondent – PIO till date. However, the Respondent – PIO was absent.

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4. During the hearing dated: 04.10.2017, the Appellant was absent and the Respondent stated that the sought for information has been supplied to the Appellant vide letter no. 2374-76/R.T.A., dated: 03.10.2017, which is taken on record.

5. During the hearing dated: 09.11.2017, both the parties were present and it was mutually agreed by the parties for inspection of record on 21.11.2017 or 22.11.2017 at 11.00 AM, as requested by the Appellant.

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