

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

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Helpline No.0172-2864116(From 10.00 AM to 04.00PM on working days)



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

.....Appellant

Versus

Public Information Officer

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

First Appellate Authority

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

Public Information Officer-cum-

Secretary, Regional
Transport Authority, Ludhiana

....Respondents

AC No.734 of 2020

Present:

- (i) Appellant - absent
- (ii) Shri Gurbal Singh, APIO O/o S.T.C., Punjab, Chandigarh,
in person before the Bench.
- (iii) Shri Manish Kumar, Section Officer/PIO O/o Secretary, R.T.A. Ludhiana/PIO.

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 08.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. in office of D.C. Ludhiana. The appellant has not come present to attend the hearing through V.C. He happened to visit the Bench on 09.11.2020 and had requested for adjournment in the instant case fixed for 10.11.2020 as he has a social commitment.
3. Shri Gurbal Singh, APIO O/o S.T.C. Punjab comes in person before the Bench in Commission's office at Chandigarh. He states that PIO, O/o Secretary, R.T.A. Ludhiana has been directed to send the requisite information to the appellant vide letter dated 15.10.2020.
4. Shri Manish Kumar, Section Officer/PIO O/o Secretary, R.T.A. Ludhiana attends the hearing through V.C. The PIO states that the appellant has been sent information vide letter dated 09.11.2020 and an intimation has also been sent to the Commission by e.mail dated 09.11.2020.
5. Since the appellant has sought adjournment in the case, his version regarding receipt of information cannot be ascertained. As such, the PIO O/o Secretary, RTA Ludhiana is directed to ensure that complete information is supplied to the appellant to his satisfaction before the next hearing.



-2-

AC No.734/2020

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 25.01.2021 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
10.11.2020**

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

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

.....Appellant

Versus

Public Information Officer

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

First Appellate Authority

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

....Respondents

AC No.737 of 2020

Present: (i) Appellant- absent.
(ii) Shri Sukhwinder Singh, Superintendent /PIO and Shri Darshan Singh, Sr.Asstt. O/o Director, State Transport, Punjab, Chandigarh in person before the Bench.

ORDER:

1. This order may be read with reference to the order dated 08.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. in DC Office, Ludhiana. The appellant has not come present to attend the hearing through V.C. He happened to visit the Bench on 09.11.2020 and had requested for adjournment in the instant case fixed for 10.11.2020 to attend a social commitment.
3. Shri Sukhwinder Singh, Superintendent and Shri Darshan Singh, Senior Assistant, O/o Director, State Transport, Punjab, Chandigarh come present to attend the hearing before the Bench in Commission's office at Chandigarh. The PIO states that a letter dated 14.11.2020 had been written to the appellant informing him that under the PUNBUS Kilometer Scheme, an agreement is entered into between the Depot Manager and the Bus Operator and the overall work of these buses is looked after by all the Depots and as such, the information may be sought directly from the Depots as all the Depots have appointed their separate PIOs. The PIO also produces an affidavit dated 09.11.2020 whereby the PIO has quoted the judgment of Punjab State Information Commission in Appeal Case no.1731 of 2015 stating that under Section 6(3) of RTI Act, the PIO is limited to transfer RTI request to only one public authority and this obligation does not extend to transfer the request to multiple public authorities. PIO has also referred to the



-2-

AC No.737/2020

instructions issued by Department of Personnel & Training, Ministry of Personnel, Govt. of India dated 24.09.2020 to the effect that if the public authority finds that the RTI application belongs to more than one PIOs, then it should supply information relating to it and advise the appellant to seek information from the concerned PIOs by a separate RTI application. The PIO has also requested for withdrawal of the penalty imposed.

4. The Bench, on perusal of the case file, finds that RTI application is of 29.10.2019 vintage. In addition, today happens to be the fourth hearing in the instant appeal case before the Bench. The observations made by the PIO in the affidavit produced before the Bench today should have been done on the first hearing of second appeal before the Bench. What has been put forth today, should have happened within five days of RTI application being received by the PIO. It shows that the action has not been taken by the PIO in time as per relevant provisions under the RTI Act. Moreover, the said letter was not brought to the notice of Bench during the previous hearings. As such, the affidavit filed at this stage is insignificant and is not accepted. In view of the position as it emerges, the Bench is not inclined to withdraw the order imposing penalty on the PIO.

5. The PIO is directed to deposit the amount of penalty imposed as also to submit proof of having deposited the same. The PIO is also directed to ask the offices concerned to supply the information to the appellant before next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 25.01.2021 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
10.11.2020**

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

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Shri Munish Kumar Aadiya
S/o Late Shri Girdhar Gopal Aadiya
H.No.B-05-975, Mohalla Phalaida
Daal Bazar, Ludhiana-141001.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Zone-A, Ludhiana.

First Appellate Authority
O/o The Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.2426 of 2020

Present: (i) **Shri Munish Kumar Aadiya, Appellant**
(ii) **Shri Satish Kumar, Superintendent/PIO, Zone-A, Municipal Corporation, Ludhiana on behalf of the PIO.**

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 26.02.2020 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 02.06.2020 and the second appeal was filed in the Commission on 03.09.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 10.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. Shri Munish Kumar Aadiya, appellant comes present to attend the hearing through V.C. He states that he has sought a copy of register in which the ownership of Property No.B-5-966/2 is entered as also the copy of document if any court case relating to this property is pending, as CC is written against this property number. The same has not been provided to him in spite of the fact that he has been called to office repeatedly.

3. Shri Satish Kumar, Supdt./PIO, Zone-A, M.C. Ludhiana attends the hearing through V.C. He states that copy of the relevant register has been sent to the appellant vide letter dated 07.10.2020 by speed post and again on 04.11.2020, with a copy to the Commission. The PIO further states that as per intimation given to the appellant, no detail regarding the court case relating to this property is available in their record.

Cont...P-2.



-2-

AC No.2676/2020

4. On the asking of the Bench, the PIO states that CC is written in case of a complaint case against the number of a proeprty. He explains to the Bench that the said proeprty has been illegally transferred by grand parents of the appellant, due to which CC is written against that property.

5. Post deliberations, the Bench directs the PIO to file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public explaining the positoin with regard to the property in question including any complaint made to the Municipal Corporation regarding this property and further stating that the information as available in AC No.2426 of 2020 has been provided to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic. Oriignal copy of the affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 25.01.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

Chandigarh
10.11. 2020

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

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

.....Appellant

Versus

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

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

....Respondents

AC No.2414 of 2020

Present: (i) **Appellant - absent**
(ii) **Shri Gural Singh, APIO O/o S.T.C., Punjab, Chandigarh, in person before the Bench.**
(iii) **Shri Manish Kumar, Section Officer/PIO O/o Secretary, R.T.A. Ludhiana/PIO.**

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 01.06.2020 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 20.07.2020 and the second appeal was filed in the Commission on 02.09.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 10.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. The appellant has not come present to attend the hearing through V.C. He happened to visit the Bench on 09.11.2020 and had requested for adjournment in the instant case fixed for 10.11.2020 as he has a social commitment.
3. Shri Gural Singh, APIO O/o S.T.C. Punjab comes in person before the Bench in Commission's office at Chandigarh. He states that the requisite information has been sent to the appellant by e.mail on 09.11.2020.
4. Since the appellant has sought adjournment, the confirmation regarding receipt of information cannot be ascertained.
5. The PIO is directed to send the information to the appellant by registered post also. The appellant will also confirm the receipt of the information before next hearing.
6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 25.01.2021 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
10.11. 2020**

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

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Shri Jatinder Kumar,
C/o Sachkhand Mishthan,
Bhandher, Nehru Gate,
Nawanshahar.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer,
Nagar Council, Nawanshahar.

First Appellate Authority
O/o Regional Deputy Director,
Local Govt., Jalandhar.

....Respondents

AC No.2166 of 2020

Present: (i) **Shri Jatinder Kumar, Appellant.**
(ii) **Shri Amardeep Singh, Supdt/APIO, O/o Municipal Council, Nawanshahar.**

ORDER:

(Heard Through Video Conferencing)

1. The RTI application is dated 28.02.2020 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 17.06.2020 and the second appeal was filed in the Commission on 14.08.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 10.11.2020 by the Commission through V.C. in the office of D.C. Nawanshahar. As such, the case has been heard today through V.C.
3. Shri Amardeep Singh, Superintendent/APIO, O/o Municipal Council, Nawanshahar comes present to attend the hearing through V.C. He states that the information has been supplied to the appellant.
4. The appellant comes present to attend the hearing through V.C. He states that he has sought the detail of salary bills/subsistence allowance bills from October, 2016 to 10.07.2019 as also the month-wise installments of bank loan deducted from his salary/subsistence allowance, which have not been provided to him and only the partial information has been supplied to him.
5. Post deliberations, the APIO is made clear that the copies of month-wise salary bills/subsistence allowance bills be supplied to the appellant. In addition to this, the month-wise detail of installments deducted and remitted to the bank in respect of his bank loan be also supplied to him. The APIO assures to supply the information as sought by the appellant before the next hearing.



-2-

AC No.2166/2020

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 25.01.2021 at 11.30 AM through V.C. in D.C. Office, Nawanshahar.** Copies of the order be sent to the concerned parties.

**Chandigarh
10.11.2020**

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

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Shri Amar Singh,
S/o Shri Khajana
R/o Opp. Gurdwara
Damdama Sahib,
Main Bazar, Chamkaur Sahib.

...Complainant

Versus

Public Information Officer

O/o Executive Officer
Nagar Panchayat,
Chamkaur Sahib.

....Respondent

CC No.536 of 2020

Present: (i) **Complainant- absent.**
(ii) **Shri Lakhbir Singh, Inspector/APIO, Nagar Panchayat, Chamkaur Sahib,
on behalf of PIO/Respondent.**

ORDER

(Heard through Video Conferencing/On Mobile Phone)

1. The RTI application is dated 06.02.2020 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed in the Commission on 17.08.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 10.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Ropar. The Complainant has not come present to attend the hearing through V.C.
3. Shri Lakhbir Singh, Inspector, Nagar Panchayat, Chamkaur Sahib comes present to attend the hearing through V.C. He states that the Complainant has been provided information by post vide letter dated 26.02.2020 and again the information has been sent by hand to the complainant at his house by deputing a Peon on 06.11.2020 which has been duly acknowledged.
4. Since the complainant is absent, he is contacted on mobile phone. He is apprised of the version of the APIO Shri Lakhbir Singh. He expresses his dis-satisfaction on the information supplied and further states that he has not received any information by hand from the PIO.
5. The APIO is apprised of the version of the complainant. Post deliberations, the APIO is directed to send the receipts for having supplied the information by post on 26.02.2020 and by hand on 06.11.2020 to the Bench. A copy of the information be again sent to the complainant by e.mail.



-2-

CC No.536/2020

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 25.01.2021 at 11.30 AM through V.C. in D.C. Office, Rupnagar.** Copies of the order be sent to the concerned parties.

**Chandigarh
10.11.2020**

**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.2663 of 2020

Present: (i) Shri Daljit Singh Saini, Appellant
(ii) None

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 08.06.2020 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 01.07.2020 and the second appeal was filed in the Commission on 16..09.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 10.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Rupnagar.
3. The case has been heard today 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. This attitude of the PIO is viewed adversely.
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.



-2-

AC No.2663/2020

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 further 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 25.01.2021 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
10.11.2020**

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

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Shri Munish Aggarwal,
S/o Shri Roshan Lal Aggarwal
R/o H.No.25, Street No.1,
Malhotra Colony, Rupnagar-140001

..... Complainant

Versus

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

....Respondent

CC No.662 of 2020

Present: (i) **Shri Munish Aggarwal, Complainant**
(ii) **None**

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 31.07.2020 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed in the Commission on 15.09.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 10.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Rupnagar.
3. The case has been heard today through V.C. at DC Office, Rupnagar. Shri Munish Aggarwal, complainant comes present for the hearing. He states that he has not been supplied any information by the PIO so far.
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. This attitude of the PIO is viewed adversely.
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 complainant 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.



-2-

AC No.662/2020

7. The PIO is also directed to supply complete information to the Complainant 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 25.01.2020 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
10.11.2020**

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