



Sh. Manoj Kumar Gupta,
H No-2867-B, Sector-42-C,
Chandigarh.

... Complainant

Versus

Public Information Officer,
O/o Administrative Department,
Technical Education and Industrial Training (TE-1),
Mini Secretariat, Sector-9, Pb, Chandigarh.

...Respondent

Complaint Case No. 20 of 2019

PRESENT: None for the Complainant
Sh.Rashpal Singh, Sr. Assistant(RTI Branch) O/o Technical Education and Industrial Training, Sector 36, Chandigarh for the Respondent

ORDER:

The case was last heard on 23.04.2019. The respondent present pleaded that the information has been provided to the complainant and submitted an acknowledgement of the complainant having received the information. However, since in the same letter, the complainant has asked for adjournment, the case was adjourned and the complainant was given one more opportunity to point out the discrepancies, if any.

Hearing dated 11.06.2019:

The respondent present pleaded that the information has been provided to the appellant. The appellant is absent and vide letter dated nil, has informed that he has received the information and does not want to pursue the case further.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Sd/-

Chandigarh
Dated 11.06.2019

(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Manoj Kumar Gupta,
H No-2867-B, Sector-42-C,
Chandigarh.

... Complainant

Versus

Public Information Officer,
O/o Director,
Technical Education and Industrial Training Punjab,
Plot No.1, Sector 36-A
Chandigarh.

...Respondent

Appeal Case No. 21 of 2019

PRESENT: None for the Complainant
Sh.Rashpal Singh, Sr. Assistant(RTI Branch) O/o Technical Education and Industrial Training, Sector 36, Chandigarh for the Respondent

ORDER:

The case was last heard on 23.04.2019. The respondent present pleaded that the information has been provided to the complainant and submitted an acknowledgement of the complainant having received the information. However, since in the same letter, the complainant has asked for adjournment, the case was adjourned and the complainant was given one more opportunity to point out the discrepancies, if any.

Hearing dated 11.06.2019:

The respondent present pleaded that the information has been provided to the appellant. The appellant is absent and vide letter dated nil, has informed that he has received the information and does not want to pursue the case further.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Sd/-

Chandigarh
Dated 11.06.2019

(Khushwant Singh)
State Information Commissioner



Sh. Himanshu Raj, C/o Law Office of Himanshu Raj,
102, Sector-10-A, Chandigarh.

... Complainant

Versus

Public Information Officer,
O/o Jalandhar Development Authority,
Jalandhar.

...Respondent

Complaint Case No. 32 & 33 of 2019

PRESENT: Ms.Sapna Randhawa, advocate for the complainant
Sh.Yogesh Kumar, Sr.Assistant O/o JDA for the Respondent

ORDER: The case was last heard on **23.04.2019**. The order is reproduced hereunder:

“The complainant through RTI application dated 11.03.2018 has sought information 12 points regarding Air Force Naval Housing Board, Jalandhar scheme at Jal Vayu Vihar, Ner Adarsh Nagar, Jalandhar and other information concerning the office of JDA Jalandhar. The complainant had filed the RTI application to PUDA Mohali which transferred it to JDA Jalandhar vide letter dated 05.04.2019. The PIO denied the information vide letter dated 14.06.2018 stating that since the information is third party and the third party has not given its consent, it cannot be provided, after which the complainant filed complaint in the Commission on 02.01.2019.

The respondent is absent. The advocate representing the complainant has requested for adjournment.”

Hearing dated 11.06.2019:

The respondent present pleaded that since the information is third party and the third party has not given its consent, it cannot be provided. The advocate representing the complainant pleaded that the CIC decision cited by the third party is for a private society whereas the appellant has sought information from the public authority.

Having gone through the record, the Commission observes that the PIO's claim for denial of information on the pretext that the third party has not given its consent to part with the information, is arbitrary since the information has been sought by the appellant from a public authority. So all the documents that are available in public domain even of private parties, are public documents(subject to the RTI exemption). The PIO is hereby directed to provide the information on points-1 & 2 and send a compliance report to the Commission.

During hearing, it came to the notice of the Commission that the appellant had filed another appeal case No.33/2019 in the office of Chief Secretary, Punjab, Chandigarh which they transferred to JDA Jalandhar on 04.04.2018. Since the information sought in this case and appeal case No.33/2019 is similar in nature, both the cases are clubbed together.

The case is adjourned. To come up for compliance on **06.08.2019 at 11.00 AM**.

Sd/-

Chandigarh
Dated 11.06.2019

(Khushwant Singh)
State Information Commissioner



Sh. Dharam Pal, S/o Sh Puran Chand,
Quarter No-6/24, Housing Board Colony Camp,
Dhangu Peer, Pathankot.

... Complainant

Versus

Public Information Officer,
O/o Estate Officer,
Amritsar Development Authority,
Amritsar.

...Respondent

Complaint Case No. 37 of 2019

PRESENT: Sh.Naresh Bhatia representative for the Complainant
Sh.Hardeep Singh, Sr.Assistant O/o ADA Amritsar for the Respondent

ORDER:

The case was last heard on **23.04.2019**. The respondent present pleaded that the information has been provided to the complainant on 05.04.2019 and a copy of the same sent to the Commission. The complainant was not satisfied and claimed that the PIO has not provided the information as per the RTI application.

The PIO was directed to relook at the RTI application and provide the information within 15 days. The PIO was also directed to explain the reasons for delay in attending to the RTI application within the time prescribed under the RTI Act.

Hearing dated 11.06.2019:

The respondent present pleaded that the information has been provided to the appellant. The appellant is not satisfied with the information regarding point-1 stating that the list provided by the PIO is incomplete. The appellant has produced a document showing that there are more migrants in number than 30, whereas the PIO has provided a list of 30 persons only.

The PIO is directed to relook and provide complete information.

The case is adjourned. Both the parties to be present on **06.08.2019 at 11.00 AM**.

Chandigarh
Dated 11.06.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Jasbir Singh,
Village Bolapur Jhabewal,
P.O Ramgarh, Distt Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Transport Department, Pb, Chd

First Appellate Authority,
O/o Principal Secretary,
Transport Department, Pb, Chd

...Respondent

Appellant Case No. 114 of 2019

PRESENT: Sh.Jasbir Singh as Appellant
Sh.Gurpal Singh, APIO-STC Punjab, Chandigarh for the Respondent

ORDER:

The case was last heard on **08.04.2019**. The respondent was absent. The appellant informed that he received a letter from the PIO stating that the information relates to STC Punjab Chandigarh and they have transferred the RTI application to the STC Punjab Chandigarh. The PIO-STC has not provided the information.

The PIO-STC Punjab was impleaded in the case and directed to attend to the RTI application and provide the information as per the RTI Act.

Hearing dated 11.06.2019:

The respondent present pleaded that the information has been provided to the appellant. The appellant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Sd/-

Chandigarh
Dated 11.06.2019

(Khushwant Singh)
State Information Commissioner



Sh. Suresh Aggarwal, S/o Sh Prem Chand,
R/o H NO-2585/2-A, Jagar Nagar, Basti Jodhwal,
Ludhiana.

... Appellant

Versus

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

First Appellate Authority,
O/o Municipal Corporation,
Head Office, Mata Rani Chowk,
Ludhiana.

...Respondent

Appeal Case No. 177 of 2019

Present: Sh.Suresh Aggarwal as the Appellant
Sh.Harjit Singh, Building Branch, O/o MC, Zone-D Ludhiana for the
Respondent

ORDER:

The case was last heard on **10.04.2019**. The respondent present from building branch Zone-A MC Ludhiana pleaded that the record relating to the information regarding points 1,3,5,6 & 7 is not available with them. The respondent present for PIO-cum-ATP Zone-D pleaded that the information regarding points 2,4 & 8 is not available with them and regarding points 3&5, the area comes under the jurisdiction of B & R Branch of Zone-B and Zone-A.

Since as per the respondents, the information was available with B & R Branch of MC Ludhiana, DRO and Irrigation department, the PIO-B&R Branch of MC, Ludhiana, PIO-DRO Ludhiana and PIO-O/o Irrigation department Ludhiana were impleaded in the case and directed to look at the RTI application and provide the information concerning them as per RTI Act on the following points:

- | | |
|---|-------------------|
| - PIO-B&R Branch, MC Ludhiana | - Points 1,5 & 6 |
| - PIO-DRO Ludhiana | - Points 1, 3 & 4 |
| - PIO-O/o Irrigation Department | - Point-2 |
| - PIO-Superintendent Tehbazari,
Zone-A MC Ludhiana | - Point-7 |

All the PIOs were directed to look at the RTI application and provide the information concerning them as per the RTI Act before the next date of hearing.

Hearing dated 11.06.2019:

The appellant claims that despite order of the Commission, the information has not been provided by the concerned PIOs. The Commission has received a letter on 30.04.2019 from the APIO-B&R Zone-B, MC Ludhiana stating that the information sought relates to their building branch. The respondent present from building branch of MC Ludhiana pleaded that the information concerning them has been provided to the appellant and remaining information has to be provided by the PIOs of A & D Zone.

Appeal Case No. 177 of 2019

The Commission observes that the file is moving from one desk to the other and no-one knows under whose custody the information lies. The Commissioner, MC Ludhiana is hereby directed to look at the RTI application on urgent basis and get the information from the PIO under whose custody the information lies. After hearing both the parties, the following was concluded:

- Point-2 Partial information provided, remaining to be provided by the PIO, Zone-A, PIO- Zone-D, PIO-Drawing Branch, MC Ludhiana and PIO-Irrigation Department, Ludhiana
- Point-3 Partial information provided, remaining to be provided by PIO, Zone-A, PIO- Zone-D, PIO-Drawing Branch, MC Ludhiana
- Point-1 To be provided by PIO-Drawing Branch, MC Ludhiana
- Points-4,5&6 Available on website
- Point-7 To be provided by PIO-Zone-A, MC Ludhiana

The PIO-Zone-A, MC Ludhiana, PIO-Zone-D, MC Ludhiana, PIO-Drawing Branch, MC Ludhiana and PIO-Irrigation Department, Ludhiana are directed to look at the RTI application and provide the information concerning them to the appellant

To come up for further hearing on **06.08.2019 at 11.00 AM.**

Sd/-

Chandigarh
Dated 11.06.2019

(Khushwant Singh)
State Information Commissioner

CC to: The Commissioner, MC Ludhiana

- **PIO-B&R Branch, MC Ludhiana**
- **PIO-Zone-A MC Ludhiana**
- **PIO-Zone-D, MC Ludhiana**
- **PIO-Drawing Branch, MC Ludhiana**
- **PIO-O/o Irrigation Department, Ludhiana**



Dr. Sandeep Kumar Gupta,
1722, Sector-14, Hisar.

... Appellant

Versus

Public Information Officer,
O/o Commissioner, Municipal Corporation,
Ludhiana.

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

...Respondent

Appeal Case No. 165 of 2019

Present: Sh.Surendera M.Bhanot, representative for the appellant
Sh.Harjit Singh, Sr.Assistant, Building Branch, O/o MC Ludhiana for the Respondent

ORDER:

The case was last heard on **10.04.2019**. The respondent present pleaded that the information has been provided to the appellant vide letter dated 05.10.2018. The respondent also submitted a reply of the PIO which was taken on the file of the Commission. The Commission observed that the PIO has provided the information on point-1 and denied the information on point-2 by stating that the information is under fiduciary relationship, it cannot be supplied as no larger public interest involved in disclosure of such information and is exempted under section section 8(e) of the RTI Act.

The appellant was absent to plead his case. The appellant was directed to appear personally or through a representative to satisfy the Commission that there lies a larger public interest in revealing this information.

Hearing dated 11.06.2019:

The appellant vide email has sent his reply that the disclosure of information has a larger public interest. The reply has been taken on the file of the Commission. The representative appeared on behalf of the appellant further stated that a lot of universities have been declared invalid by the Hon'ble Supreme Court, and disclosure of information will help them to identify the officials appointed and working in the department with fake degrees. The case will be adjudicated on the next date of hearing.

To come up for further hearing on **06.08.2019 at 11.00 AM.**

Sd/-

Chandigarh
Dated 11.06.2019

(Khushwant Singh)
State Information Commissioner



Sh. Harmit Singh, C/o Baba Kala Finance Company,
Near Truck Union, Phool Road,
Rampura Phul, Bathinda.

... Appellant

Versus

Public Information Officer,
O/o Secretary, Regional Transport Authority,
Sangrur.

First Appellate Authority,
O/o State Transport Commissioner,
Pb, Chandigarh.

...Respondent

Appeal Case No. 182 of 2019

Present: Sh.Harmit Singh as the Appellant
None for the Respondent

ORDER:

The case was last heard on 10.04.2019. The appellant through RTI application dated 30.08.2018 had sought information regarding details of new vehicle numbers allotted to the vehicles by getting NOC from other states from 01.01.2017 to 31.07.2018 and copies of NOCs and other information concerning the office of Secretary RTA Sangrur. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 11.10.2018 which took no decision on the appeal.

Since both the parties were absent, the case was adjourned.

Hearing dated 11.06.2019:

The appellant claims that the PIO has not provided the information. The respondent is absent. The PIO is directed to provide the information to the appellant within 15 days and send a compliance report to the Commission; otherwise the Commission will be constrained to take action under the RTI Act. The PIO is also directed to appear personally or through a representative on the next date of hearing alongwith the explanation for not attending to the RTI application within the time prescribed under the RTI Act.

To come up for further hearing on **23.07.2019 at 11.00 AM** through video conference facility available in the office of **Deputy Commissioner, Bathinda**. The order be sent to both the parties through Registered Post.

Sd/-

Chandigarh
Dated 11.06.2019

(Khushwant Singh)
State Information Commissioner



Sh. Harmit Singh, C/o Baba Kala Finance Company,
Near Truck Union, Phool Road,
Rampura Phul, Bathinda.

... Appellant

Versus

Public Information Officer,
O/o Secretary, Regional Transport Authority,
Bathinda.

First Appellate Authority,
O/o State Transport Commissioner,
Pb, Chandigarh..

...Respondent

Appeal Case No. 191 of 2019

Present: Sh.Harmit Singh as the Appellant
Sh.Nishant Joshi, Data Entry Operator, O/o RTA Bhatinda for the
Respondent

ORDER:

The case was last heard on 10.04.2019. The appellant through RTI application dated 30.08.2018 had sought information regarding details of new combines registered and fees collected and new vehicle numbers allotted to disposed vehicles from 01.10.2017 to 25.08.2018 and other information concerning the office of Secretary RTA Bhatinda. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 11.10.2018 which took no decision on the appeal.

Since both the parties were absent, the case was adjourned.

Hearing dated 11.06.2019:

The respondent present pleaded that the information has been provided to the appellant vide letter dated 06.06.2019 and a copy submitted to the Commission. The appellant has received the information.

Having gone through the record, the Commission observes that there has been an enormous delay of nine months in providing the information since the appellant had filed RTI application on 30.08.2018 whereas the information has been provided on 06.06.2019. The Commission has taken a serious view of this scant regard of the PIO and hereby directs the PIO to show **cause why penalty be not imposed on the PIO under section 20 of the RTI Act for not supplying the information within the statutorily prescribed period of time**, He/She should file an affidavit in this regard, if there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission alongwith the written replies.

To come up for further hearing on **23.07.2019 at 11.00 AM** through video conference facility available in the office of **Deputy Commissioner, Bathinda**. The order be sent to both the parties through Registered Post.

Sd/-

Chandigarh
Dated 11.06.2019

(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO,
Construction Sub Division, PWD B&R,
Tarn Taran.

First Appellate Authority,
O/o SE, Construction Circle,
PWD B&R, Amritsar

...Respondent

Appeal Case No. 213 of 2019

PRESENT: None for the Appellant
Sh.Sharanjit Singh, Asstt. Engineer for the Respondent

ORDER:

The case was last heard on 23.04.2019. The respondent present pleaded that the information has been provided to the appellant vide letter dated 04.12.2018 and submitted a document that the appellant has received the information. However, the appellant was absent to point out the discrepancies, if any. The appellant was given one more opportunity to point out the discrepancies, if any and be present on the next date of hearing.

Hearing dated 11.06.2019:

The respondent present pleaded that the information has been provided to the appellant. The appellant vide email has informed that he has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Sd/-

Chandigarh
Dated 11.06.2019

(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO,
Construction Sub Division No-2,
PWD B&R, Bathinda..

First Appellate Authority,
O/o SE, PWD B&R,
Construction Circle, Bathinda.

...Respondent

Appeal Case No. 214 of 2019

PRESENT: None for the Appellant
Sh.Sandeep Kumar, Clerk O/o SDO Construction Sub Division No.2
PWD(B&R) Bhatinda for the Respondent

ORDER:

The case was last heard on 23.04.2019. The respondent present pleaded that the information has been provided to the appellant vide letter dated 23.10.2018 and submitted a copy to the Commission. However, since the appellant has filed second appeal with the Commission on 03.11.2018 that he has not received the information, the respondent was directed to resend the information to the appellant through registered post within 2 days. The appellant was given one more opportunity to point out the discrepancies, if any and be present on the next date of hearing.

Hearing dated 11.06.2019:

The respondent present pleaded that in compliance with the order of the Commission, they have resent the information to the appellant on 25.04.2019. The respondent has also shown evidence that they have resent the information through registered post. The appellant vide email has informed that he has not received the information.

The PIO is directed to contact the appellant and sort out the matter whether the appellant has received the information or not.

The case is adjourned. To come up for further hearing on **23.07.2019 at 11.00 AM** through video conference facility available in the office of **Deputy Commissioner, Bathinda.** The order be sent to both the parties through Registered Post.

Chandigarh
Dated 11.06.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Yogesh Majahan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o Sub Division Officer,
Construction sub Division No-2,
PWD B&R, Sangrur.

First Appellate Authority,
O/o SE,
PWD B&R Circle, Sangrur.

... Respondent

Appeal Case No. 215 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER: The case was last heard on 23.04.2019. The appellant through RTI application dated 01.10.2018 had sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO Construction Sub Division No.2, PWD (B&R) Sangrur. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

Since both the parties were absent, the case was adjourned. The PIO was directed to provide the information to the appellant within 15 days and send a compliance report to the Commission.

Hearing dated 11.06.2019:

The appellant is absent and vide email has informed that the PIO has not supplied the information.

At the last hearing, the respondent was absent. The PIO was given one more opportunity to provide the information within 15 days and send a compliance report to the Commission. The respondent is again absent nor has complied with the order of the Commission. The Commission has taken a serious note of this scant regard of the PIO towards the RTI Act and hereby directs the PIO to **show cause why penalty be not imposed on the PIO under section 20 of the RTI Act for not supplying the information within the statutorily prescribed period of time**, He/She should file an affidavit in this regard, if there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission alongwith the written replies.

The PIO is again directed to provide the information to the appellant within 10 days.

Both the parties to be present on **06.08.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated 11.06.2019

Sd/-
(Khushwant Singh)
State Information Commissioner