

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
Ph: 0172-2864113, Helpline No. 0172-2864100  
Email: - [psic22@punjabmail.gov.in](mailto:psic22@punjabmail.gov.in)  
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**Sh. Davinder Sharma (9417136539)**

s/o Sh. Sham Lal Sharma,  
# 874, Street No.6,  
Janakpur, Ludhiana

Appellant

Versus

**Public Information Officer**

O/o Regional Transport Authority,  
Ludhiana

**First Appellate Authority**

O/o Regional Transport Authority,  
Ludhiana

Respondent

**Appeal Case No.: 1852 of 2021**  
**Through CISCO WEBEX**

**Present:** (i) Sh. Davinder Sharma, the appellant  
(ii) For the respondent: Sh. Amardeep (Clerk).

**ORDER**

1. This order may be read with earlier order dated 30.09.2021 wherein both the parties mutually agreed that the applicant shall visit the office of respondent on 05.10.2021 i.e. Friday (at 11:00 AM), inspect the relevant records, identify the documents copies whereof are required by him; and the respondent will provide copies of required documents, according to his RTI application dated 01.11.2020, within a fortnight, in accordance with the relevant provisions of the RTI Act, 2005. Matter was adjourned for further hearing on 23.03.2022, which was not heard due to Gazette Holiday on account of Martyrdom Day of Shaheed-E-Azam Sardar Bhagat Singh Ji and fixed for today i.e. 11.05.2022. Notice for the same was sent to the parties through registered post.
2. In today's hearing, both the parties are present and appellant intimated the Commission that requisite information still pending from the respondent PIO even after visits to the respondent's office on 05.10.2021 (as per order of the Commission dated 30.09.2021) and 09.12.2021 (as per respondent's letter dated 25.11.2021)
3. Respondent, Sh. Amardeep requests for an adjournment in this case as inspection could not taken place on the fixed dates 05.10.2021 and 09.12.2021 due to some reasons.
4. After examining the documents placed on record, it is observed that respondent PIO taking the orders of the Commission leniently, which is making mockery of the RTI Act, 2005, which came into existence to promote transparency and accountability in the working of every public authority. After the ample time (07 months) has elapsed, respondent PIO failed to comply with the previous order of the Commission dated 30.09.2021, which is viewed seriously and it has also affected hearing and disposal of the case. In pursuance of this, the PIO is directed to supply the information to the appellant immediately under intimation to the Commission, failing which consequences shall follow as per RTI Act.
5. With aforesaid directions, matter is adjourned for further hearing on **13.07.2022 at 11:00 A.M. through CISCO WEBEX application**. Copy of the order be sent to the parties.  
**(Steps to use CISCO WEBEX: Install CISCO Webex->Click on Join Meeting->Enter Meeting Number 1582933632).**

**Dated: 11.05.2022 (11:30 A.M.)**

**(Anumit Singh Sodhi)**  
**State Information Commissioner**  
**Punjab**

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**Sh. Jasbir Singh** (9888296107)  
Guru Nanak Nagar,  
Vill. Bolapur, Jhabewal, PO Ramgarh  
District Ludhiana 141123.

Appellant

Versus

**Public Information Officer**  
O/o State Transport Commissioner,  
Pb, Chandigarh

**First Appellate Authority**  
O/O State Transport Commissioner,  
Pb, Chandigarh

Respondent

**Appeal Case No.: 1877 of 2021**  
**Through CISCO WEBEX**

**Present:** (i) Sh. Jasbir Singh, the appellant.  
(ii) For the respondent: Sh. Gurbax Singh (APIO)

**ORDER:**

1. This order may be read with the previous order dated 30.09.2021 vide which, respondent, Ms. Kulwinder Kaur stated that matter was still under investigation concerning RTI application, so no information could be supplied to the appellant till the finality of the he enquiry. The appellant added that reply which was received from the respondent PIO (deemed PIO), Sh. Narinder Kumar, O/o Superintendent-Establishment has already been sent o the appellant on 20.07.2021 with a copy to the Commission via an email dated 29.09.2021 (which was received by the undersigned Bench and taken on record).

Respondent PIO, O/o Superintendent- Establishment was directed to speed up the investigation and finish it at the earliest. Matter was adjourned for further hearing on 23.03.2022, which was not heard due to Gazette Holiday on account of Martyrdom Day of Shaheed-E-Azam Sardar Bhagat Singh Ji and fixed for today i.e. 11.05.2022. Notice for the same was sent to the parties through registered post.

2. In today's hearing, respondent, Sh. Gurbax Singh states that a reply dated 09.05.2022 is sent to the appellant with a copy to the Commission via an email dated 09.05.2022 stating that ਇਸ ਸੰਬੰਧੀ ਮਾਮਲਾ ਵਿੱਤ ਵਿਭਾਗ ਨਾਲ ਟੇਕਆਪ ਕੀਤਾ ਗਿਆ ਹੈ।
3. On this, appellant expresses his dissatisfaction and requests the Commission to intervene in the matter for supply of the requisite information.

**Appeal Case No.: 1877 of 2021**  
**Through CISCO WEBEX**

4. After hearing both the parties and examining the case file, It is observed that same reply was given in another appeal case no. 1545 of 2021 (heard on 28.04.2022), which was found unsatisfactory reply. Respondent PIO also intimated the Commission that the present case is fixed for today i.e. 11.05.2022, so adjournment was given for today in another appeal case no. 1545 of 2021 but respondent PIO did not bother to appear before the Commission today to represent both the cases.
5. The absence of the PIO is viewed seriously as it also affects hearing and disposal of the case. A final opportunity is awarded to **respondent PIO, Ms. Kulwinder Kaur to appear in person on the next date of hearing along with concerned person from the concerned branch to clear the facts of this case at PSIC Office, Chandigarh on the next date of hearing, failing which stern action will be initiated against her as per RTI Act, 2005. A copy of this order be sent to her by name through registered post for her ready reference.**
6. Appellant is on liberty either to attend hearing through CISCO WEBEX (meeting number 1582933632) or at PSIC Office, Chandigarh
7. To come up on **27.07.2022 at 11:00 A.M. through CISCO-Webex** (Video Conferencing application). Copy of the order be sent to the parties.

**Dated: 11.05.2022 (11:30 A.M.)**

**(Anumit Singh Sodhi)**  
**State Information Commissioner**  
**Punjab**

**(Regd. Post)** **Ms. Kulwinder Kaur (PIO)**  
O/O State Transport Commissioner,  
Sector 17, Chandigarh

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**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**

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**Sh. Arjun Sheoran (9592771330)**

# 1, Sector 16-A,  
Chandigarh.

Complainant

Versus

**Public Information Officer**

O/o Rajiv Gandhi National University  
Of Law, Pb., Patiala

**Public Information Officer**

O/o Chancellor, Rajiv Gandhi National University  
Of Law, Pb., Patiala

Respondent

**Complaint Case No.: 73 of 2021**  
**Through CISCO WEBEX**

**Present:** (i) Advocate, Sh. Udit Agnihotri (9815092215) on behalf of the complainant.  
(ii) For the respondent: Sh. Karam Chand Rana (Superintendent) (9888256721)

**Order**

1. This order may be read with the previous order dated 30.09.2021 vide which respondent, Sh. Karam Chand Rana stated that reply has already been sent to the Commission vide letter no. 534 dated 22.09.2021 (which was received by the undersigned Bench and taken on record) but representative of the complainant, Ms. Amrita Garg denied of receiving reply from the respondent PIO.

Respondent PIO was directed to send a copy of reply to the complainant through registered post under intimation to the Commission. Complainant was advised to go through the reply, once receives and point out deficiency, in writing to the respondent PIO with a copy to the Commission.

Matter was adjourned for further hearing on 23.03.2022, which was not heard due to Gazette Holiday on account of Martyrdom Day of Shaheed-E-Azam Sardar Bhagat Singh Ji and fixed for today i.e. 11.05.2022. Notice for the same was sent to the parties through registered post.

2. In today's hearing, respondent, Sh. Karam Chand Rana states that reply as per directions of the Hon'ble Commission had already been sent to the appellant dated 30.09.2021 with a copy to the Commission, which is received vide diary no. 22417 dated 04.10.2021 and taken on record. Another reply vide letter no. 462 dated 10.05.2022 is also received from the respondent via an email dated 10.05.2022, which is taken on record.
3. Representative of the complainant, Sh. Udit Agnihotri requests for an adjournment in this case.
4. After hearing both the parties and examining the case file, it is observed that ample time has elapsed after the previous hearing held on 30.09.2021 but till date complainant has not pointed out deficiency even after receipt of the reply dated 30.09.2021.

**Complaint Case No.: 73 of 2021**  
**Through CISCO WEBEX**

5. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-  
*(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).*
6. Despite of being a complaint case, respondent PIO complied with the orders of the Commission dated 30.09.2021.
7. A final opportunity is awarded to the complainant to point out deficiency within ten days from today, failing which case will be decided on merit basis.
8. Both the parties are advised to represent this case in person or through their representative(s) on the next date of hearing to clear the facts, failing to which case will be decided on merit basis.
9. To come up on **12.07.2022 at 11:00 A.M. through CISCO-Webex** (Video Conferencing application). Copy of the order be sent to the parties through registered post.  
**(Steps to use CISCO WEBEX: Install CISCO Webex->Click on Join Meeting->Enter Meeting Number 1582933632).**

**Dated: 11.05.2022 (11:30 A.M.)**

**(Anumit Singh Sodhi)**  
**State Information Commissioner**  
**Punjab**

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**(Regd. Post)** **Sh. Sukhwinder Singh, (8437434716)** Appellant  
s/o Sh. Joginder Singh,  
R/o DhaniAmarpura, Vill. Alam Shah,  
Tehsil & Distt. Fazilka

Versus

**Show-Cause**  
**(Regd. Post)** **Public Information Officer (By Name)**  
O/o BDPO, Fazilka

**(Regd. Post)** **First Appellate Authority (By Name)**  
O/o DDPO, Fazilka Respondent

**Appeal Case No.: 1090 of 2021**  
**Through CISCO WEBEX**

**Present:** (I) Sh. Sukhwinder Singh - Appellant  
(ii) None on behalf of the respondent.

**ORDER**

1. This order may be read with the previous order dated 30.09.2021 vide which respondent was continuously absent second time without any intimation to the Commission. The BDPO was directed to appear in person on the next date of hearing at PSIC Office along with directions to supply the point-wise reply/information to the appellant within ten days after receipt of this order. Matter was adjourned for further hearing on 23.03.2022 which was not heard and fixed for today i.e. 11.05.2022.
2. In today's hearing, appellant is present but respondent PIO is absent third time even after sending registered post notices and orders passed by the Commission, which shows his causal approach towards the directions of the Commission. A copy of previous order was also sent to the PIO, BDPO and DDPO by name through registered post but concerned department did not bother to present this case today.
3. *The absence of the PIO is viewed seriously and it has also affected hearing and disposal of the case. In pursuance of this, the PIO is directed to file a written submission in response to the Notice of the Commission and should present this case personally at PSIC Office, Chandigarh on the next date of hearing.*
4. In view of the foregoing, **respondent PIO, O/o BDPO, Fazilka is directed to show cause** in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

**Appeal Case No.: 1090 of 2021**  
**Through CISCO WEBEX**

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission 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 proceedings against him ex-parte.

5. Appellant is on liberty either to attend hearing through CISCO WEBEX (meeting no. 1582933632) or at PSIC Office, Chandigarh.
6. To come up on **28.07.2022 at 11:00 A.M.** through **CISCO-Webex** (Video Conferencing application). Copy of the order be sent to the parties.

**(Steps to use CISCO WEBEX: Install CISCO Webex->Click on Join Meeting->Enter Meeting Number 1582933632).**

**Dated: 11.05.2022 (11:30 A.M.)**

**(Anumit Singh Sodhi)**  
**State Information Commissioner**  
**Punjab**

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**Sh. Sanjiv Thakur (9814289764)**

Vill. Gudha Khurd,  
PO Madhopur Cant 145024

Appellant

Versus

**Public Information Officer**

O/o Regional Transport Officer, Hoshiarpur

**First Appellate Authority**

O/o Additional Transport Commissioner, Pb  
Chandigarh.

Respondent

**Appeal Case No.: 1797 of 2021**  
**Through CISCO WEBEX**

**Present:**

(i) Sh. Sanjiv Thakur, the appellant

(ii) For the respondent: Sh. Surinder Bhandari (9877661361)

**ORDER**

1. This order may be read with the previous order dated 30.09.2021 vide which respondent, Sh. Raman Kumar requested for an adjournment on the plea that APIO, who is dealing this case, is on medical leave from 02 months. Request of the respondent PIO was granted; respondent PIO was directed to supply the information within twenty days, after receipt of this order under intimation to the Commission. Matter was adjourned for further hearing on 23.03.2022 which was not heard and fixed for today i.e. 11.05.2022.
2. In today's hearing, both the parties are present and after detailed deliberations, it is observed that till date information is pending to be supplied. It is also observed that on the previous hearing held on 30.09.2021, respondent, Sh. Raman Kumar requested for an adjournment to supply the information but after the lapse of 07 months, respondent PIO failed to comply with the orders of the Commission, which also lingers on the disposal of the cases. A final opportunity is awarded to the respondent PIO to supply the complete information immediately to the appellant.
3. Both the parties are advised to represent this case in person on the next date of hearing, failing to which, appropriate order in their absence shall be passed.
4. To come up on **21.07.2022 at 11:00 A.M. through CISCO-Webex** (Video Conferencing application). Copy of the order be sent to the parties.

**(Steps to use CISCO WEBEX: Install CISCO Webex->Click on Join Meeting->Enter Meeting Number 1582933632).**

**Dated: 11.05.2022 (11:30 A.M.)**

**(Anumit Singh Sodhi)**  
**State Information Commissioner**  
**Punjab**