

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

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**Kuldeep Chand Bhargav,**

# 131, Geeta Vihar,  
Threekay Road,  
Ludhiana – 142021

Versus

**Public Information Officer,**  
Punjab Agricultural University,  
Ludhiana.

**First Appellate Authority,**  
o/o Registrar,  
Punjab Agricultural University,  
Ludhiana.

## **Appeal Case No. 2750 of 2019**

PRESENT:

Kuldeep Chand Bhargav (Appellant)

Kapil Bansal, APIO(for the Respondent) 99140-22015

ORDER:

1.The RTI application is dated **23.5.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **29.7.19** under Section 19 of the Right to Information Act, 2005 (RTI Act).The first hearing of this appeal case was held in the Commission **30.8.19** wherein the respondent PIO was directed to submit a pointwise reply to the appellant's RTI request.

2.The respondent PIO represented by Kapil Bansal, APIO, has submitted a written response to the appellant's RTI application with a copy to this Commission through which he has denied disclosure of the information sought by the appellant. This is on the premise that the Punjab & Haryana High Court, where the appellant and the university are presently engaged in litigation, has expressly forbidden such disclosure.

3.The appellant too today submitted counter reply wherein he has contended that the information he has requested has nothing to do with the subject matter of the litigation pending in the High Court at Chandigarh.

## **FOR LEGAL OPINION....**

### **4.Next hearing on 20.11.19 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

11.10.19

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**Charan Kamal Singh,**  
# 246 A, New Shampura Colony,  
Village Shampura, Roopnagar.

Versus

**Public Information Officer,**  
o/o District Education Officer (SE),  
Roopnagar.  
**First Appellate Authority,**  
o/o District Education Officer (SE),  
Roopnagar.

## **Appeal Case No. 2778 of 2019**

### PRESENT:

Jaspreet Singh (for the Appellant / father of the appellant)  
Harpreet Singh, Clerk (for the Respondent) 98152-26320

### ORDER:

1.The RTI application is dated **20.4.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **31.7.19** under **Section 19** of the Right to Information Act, 2005 (hereinafter RTI Act). The first hearing of this appeal case was held in the Commission on **5.9.19**, wherein the appellant Charan Kamal Singh was absent, and the respondent PIO had submitted that the information requested by him was identical to that sought and furnished to the appellant's father Jaspreet Singh in an earlier appeal case disposed by former CIC S.S. Channy.

2.Both parties are present. The respondent PIO, represented by Harpreet Singh, clerk, has submitted that the information sought by Charan Kamal Singh, appellant has been furnished to him. He also reiterated that this information was earlier also given to the appellant's father Jaspreet Singh in response to earlier appeal case disposed by the then CIC S.S. Channy on **27.6.17**. However, the appellant insists that he has received no information. Under the circumstances, this Commission directs the respondent PIO to arrange for the appellant to inspect the available record and furnished duly attested copies of the information requested in the appellant's original RTI request. Both parties have agreed to an inspection on 15.10.19.

3.The appellant is advised to go through the information furnished and on the same day i.e. 15.10.19, and intimate this Commission before the next hearing.

### **4.Next hearing on 28.11.19 at 11.00 am.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh.  
11.10.2019

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**Rajesh Giri,**

Opposite Tanki No.2, Street No. 10,  
Basant Nagar, Khanna.

Versus

**Public Information Officer,**

o/o Director Public Instruction (SE),  
Punjab, Mohali.

**First Appellate Authority,**

o/o Director Public Instruction (SE),  
Punjab, Mohali.

## **Appeal Case No. 2779 of 2019**

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

1.The RTI application is dated **30.4.19** vide which the appellant has sought information pertaining to a Punjab Government memo regarding property tax returns etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **31.7.19** under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). The first hearing of this appeal case was held in the Commission on **5.9.19**, wherein the respondent PIO was absent. He was directed to appear in person along with the requested information, failing which penal action could be initiated against him.

2.The appellant is absent today, but he has informed the Commission of his inability to attend this hearing owing to his wife's illness. The respondent PIO is absent for the second successive time without any intimation.

3.The respondent PIO Director Public Instructions (SE), is herewith ordered to SHOW CAUSE as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on **30.4.19.**

4.In addition to the written reply, the respondent PIO is also given an opportunity under Section 10 (1) proviso thereto, for a personal hearing before imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fix, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.

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**5. Next hearing on 20.11.19 at 11.00 am.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh.  
11.10.19

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**Sarabjit Singh Shergil,**  
CDPO Bhikhi,  
# 10, Fateh Enclave, Patiala.

Versus

**Public Information Officer,**  
o/o Director,  
Social Security Women & Child Development, Punjab,  
Chandigarh.  
**First Appellate Authority,**  
o/o Director,  
Social Security Women & Child Development, Punjab,  
Chandigarh.

## **Appeal Case No. 2786 of 2019**

PRESENT:

Sarabjit Singh Shergil (Appellant)

Nirmal Kumar, Senior Assistant (for the Respondent) 95306-61345

ORDER:

1.The RTI application is dated **10.9.19** vide which the appellant has sought information pertaining to his own service in five points, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **31.7.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The hearing of this appeal case was held in the Commission on **5.9.19**, wherein the respondent PIO was directed to send the information to the appellant's address as listed in the Commission's notice.

2.Following this, the respondent sent the requested information to the appellant via registered post and intimated the Commission of this on 10.9.19.

3.Both parties are present today and the respondent PIO, represented by Nirmal Kumar, Senior Assistant, apprised the Commission that the requested information was sent to the appellant on 07.10.19.

4.The appellant stated that he has received the information, but has enumerated a number of shortcomings in the information furnished. Nirmal Kumar, representing the respondent PIO, has undertaken to retrieve the missing information from the State Government and supply this to the appellant before the next hearing.

**4.Next hearing on 21.11.19 at 11.00 am.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh.  
11.10.19

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**Jasbir Singh,**

Village Bolapur, Jhabewal, PO Ramgarh,  
District Ludhiana.

Versus

**Public Information Officer,**

o/o Secretary, Regional Transport Authority,  
Faridkot.

**First Appellate Authority,**

o/o State Transport Commissioner, Punjab,  
Chandigarh.

## **Appeal Case No. 2850 of 2019**

PRESENT:

(Appellant) Absent.

(Respondent) Absent.

ORDER:

1.The RTI application is dated **11.3.19** vide which the appellant has sought voluminous information pertaining to school and industrial vehicles etc, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **29.7.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for hearing on **11.10.19**.

2.Both parties are absent without intimation. This Commission grants the appellant and the respondent PIO one more opportunity to appear and present their case at the next hearing.

3.**Next hearing on 21.11.19 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

11.10.19

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**Adwin Masih,**

# 979, Rattan Singh Chowk,  
Sanjay Gandhi Colony, Amritsar-1  
Amritsar

Versus

**Public Information Officer,**

o/o Block Education Officer (Elementary), Block Amritsar-2,  
Amritsar.

**First Appellate Authority,**

o/o District Education Officer (Elementary),  
Amritsar.

## **Appeal Case No. 2777 of 2019**

PRESENT:

(Appellant) Absent.

(Respondent) Absent.

ORDER:

1.The RTI application is dated **7.5.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **31.7.19** under Section 19 of the Right to Information Act, 2005 (RTI Act).The case was last heard on **5.9.19**.

2.Both, the appellant Adwin Masih and the respondent PIO o/o Block Education Officer (Elementary), Block Amritsar-2, Amritsar are absent without intimation to this Commission. This, notably, is for the second time in succession.

3.Under the circumstances, this Commission has constrained to presume that the appellant is no longer interested in pursuing this appeal case, which was filed on 31.7.19.This Commission therefore deems it fit to **CLOSE** this case.

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.

11.10.19

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**Aruna Devi,**  
w/o Bharat Bhushan Mattu,  
# 322, Maskeen Nagar, PO Netaji Nagar, Salem Tabri,  
Ludhiana.

Versus

**Public Information Officer,**  
o/o Estate Officer, GMADA,  
Mohali.

**First Appellate Authority,**  
o/o Chief Administrator, GMADA,  
Mohali.

## **Appeal Case No. 2842 of 2019**

PRESENT:

(Appellant) Absent.

(Respondent) Absent.

ORDER:

1.The RTI application is dated **6.5.19** vide which the appellant has sought information pertaining to her complaint of 6.3.17 in six points, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on 11.10.19.

2.Both parties are absent. The appellant wrote to inform the Commission on 1.10.19 that no information has been supplied to her in response to the RTI application on 6.5.19 or first appeal on 11.6.19.

3.The respondent PIO is absent without intimation. This Commission directs the respondent PIO o/o Estate Officer, GMADA, Mohali, to submit a pointwise reply to the appellant's RTI application before or on the next hearing.

**4.Next hearing on 28.11.19 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh.  
11.10.19



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**Balvir Raj**, s/o Milawa Ram,  
Ward No. 7, Bhagwanpura Basti,  
Jalalabad (West),  
District Fazilka.

Versus

**Public Information Officer**,  
o/o Senior Superintendent of Police,  
Fazilka.  
**First Appellate Authority**,  
o/o Inspector General of Police, Ferozepur Range,  
Ferozepur Cantonment.

## **Appeal Case No. 2841 of 2019**

PRESENT:

Balvir Raj (Appellant)  
Dalip Singh, ASI(for the Respondent) 95588-26877

ORDER:

1.The RTI application is dated **29.4.19** vide which the appellant has sought information pertaining to his complaint against one ASI Om Prakash etc, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on 11.10.19.

2.The respondent PIO, represented by Dalip Singh, ASI, submitted that the investigation pertaining to the complaint referred to by the appellant is now complete and the information sought by him was sent to him by registered post on 18.9.19. An additional copy of the information, including documents which were not furnished earlier, were handed over to the appellant at this hearing.

3.It was however noticed during the course of this hearing that the original record in ASI Dalip Singh's custody contains 18 pages of which only six pages have been given to the appellant. On the advice of this Commission, the respondent has agreed to arrange for the appellant to inspect the original record pertaining to his RTI Request on 16.10.19.

4.In the interim, on 22.10.19, the respondent PIO has intimated the Commission (vide a messenger) that the complete information has been sent to the appellant by registered post on 18.10.19. The appellant is requested to peruse this and inform this Commission whether he is satisfied before the next hearing.

**5.Next hearing on 28.11.19 at 11.00 am.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh.  
11.10.19