

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



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Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)

Shri Prem Kumar Rattan,
H.No.78/8, Park Road,
Navi Mandi, Dhuri,
District Sangrur

.....Appellant

Versus

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

First Appellate Authority,
O/o Secretary, Regional
Transport Authority,
Patiala.

...Respondents

AC No.2383/2020

Present: (i) **Shri Prem Kumar Rattan, Appellant**
(ii) **None on behalf of PIO, O/o Secretary, R.T.A. Patiala.**

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 14.09.2021 passed by this Bench on the previous date of hearing.
2. The case was scheduled to be heard today in Commission's office at Chandigarh. The appellant Shri Prem Kumar Rattan comes present to attend the hearing through Cisco Webex. He states that the PIO was directed on the previous hearing to file an affidavit and he has not received the affidavit yet.
3. Neither the PIO Shri Sham Lal O/o Secretary, R.T.A. Patiala has come present to attend the hearing in person before the Bench nor he has deputed any of his representatives to attend the hearing.
4. The Bench observes that the PIO has not complied with the directions given by the Bench during the previous hearing as he was directed to file affidavit incorporating therein the position regarding certain relevant files which are not traceable. The Bench takes serious view of the absence of the PIO as also for non-compliance of the directions of the Bench.

Cont.P-2



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AC No.2383/2020

5. The PIO is again directed to comply with the directions of the Bench as given on the previous hearing as also to ensure to come present to attend the hearing in person before the Bench bringing along the original affidavit along with a copy of the same and produce the same before the Bench on the next hearing, failing which penal consequences shall follow.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.12.2021**

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

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Shri Ajay Kumar,
1, Rose Avenue Colony.
Near Improvement Trust Office,
Malerkotla, Distt. Sangrur

.....Appellant

Versus

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

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

....Respondents

AC No.2481 of 2020

Present: (i) **Shri Ajay Kumar, Appellant in person.**
(ii) **Shri Ravinder Sharma, Junior Assistant, O/o Secretary, R.T.A. Sangrur, on behalf of the PIO/Respondent.**

ORDER

1. This order may be read with reference to the order dated 14.09.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today in Commission's office at Chandigarh. The appellant, Shri Ajay Kumar comes present to attend the hearing in person before the Bench. He states that he has not received any information so far.
3. Shri Ravinder Sharma, Junior Assistant O/o Secretary, R.T.A. Sangrur comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that the appellant has been supplied point-wise information vide letter dated 14.12.2021 and also produces before the Bench a copy of the said letter. On the asking of the Bench, the appellant denies receipt of the letter. He is handed over a copy of the same by the representative of PIO during the hearing itself. On perusing the letter, he shows his dissatisfaction. The representative of the PIO further states that the information sought on point No.1 is voluminous and for any additional and specific information, the appellant can visit their office.

Cont..P-2



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AC No.2481/2020

4. The appellant states that as regards the information regarding recovery of fines, he may be supplied information in respect of the tractors and buses only.

5. The PIO, O/o Secretary, R.T.A. Sangrur is directed to call the appellant to his office on 20.12.2021 at 11.00 AM and allow him access to the relevant official records. The appellant, after inspection, will identify the information required by him and the PIO will provide the same to the appellant before the next hearing.

6. After supplying the information, the PIO is directed to file an affidavit on non judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the appellant has been allowed inspection of records and the information as available and as identified by the appellant in AC No.2481/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. The original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record. The PIO is also directed to come present in person to attend the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.12.2021**

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

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Shri Shakti Bhushan
S/o Shri Kewal Krishan Kaushal
R/o Street Bhaini Sahib,
Ward No.8, Dhanaula,
District Barnala.

.....Appellant

Versus

Public Information Officer
O/o Motor Vehicle Registration
Authority, Ferozpur.
First Appellate Authority
O/o Secretary, Regional
Transport Authority,
Ferozpur.

....Respondents

AC No.1098 of 2020

Present: (i) **Appellant- absent.**
(ii) **Shri Varinder Kumar Sharma, Accountant, O/o Secretary,
R.T.A. Ferozpur, on behalf of the PIO, in person.**

ORDER

(Heard in person/on mobile phone)

1. This order may be read with reference to the order dated 14.09.2021 passed by this Bench on the previous date of hearing.
2. The case was scheduled to be heard today in Commission's office at Chandigarh. The appellant Shri Shakti Bhushan has not come present to attend the hearing in person before the Bench.
3. Shri Varinder Kumar Sharma, Accountant O/o Secretary, R.T.A. Ferozpur comes present to attend hearing before the Bench and states that the appellant has been supplied information giving details of the registered Swaraj Tractors on 06.11.2019, 14.07.2020 and then on 18.12.2020. He further states that the appellant has sought copies of Form No.21 & 22 which are not available in their office. He states that two letters have been sent to the concerned Agency of Swaraj Tractors at Ferozpur and as soon as the said information is received from the concerned agency, the same will be sent to the appellant. He also produces an affidavit dated 13.12.2021 before the Bench.

Cont..P-2



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AC No.1098/2020

4. Shri Shakti Bhushan, the appellant is contacted on mobile phone. He is apprised of the version of representative of the PIO. He states that he has been assured that copies of Forms No.21 & 22 will be provided after receiving the same from the concerned agency. He requests that the case may not be closed unless the complete information is provided to him.

5. The Bench observes that since a part of the information still remains to be supplied to the appellant, the affidavit dated 13.12.2021 produced before the Bench is of no consequence and as such, the same is not accepted, being invalid document. The PIO is directed to first ensure that complete information has been supplied to the appellant and only then, he is directed to file a fresh affidavit, as already directed by the Bench.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
15.12.2021

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

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Shri Surjit Singh,
S/o Shri Kaku Singh,
R/o Village Gagan Ke,
Tehsil & Distt:Fazilka.

.....Appellant

Versus

Public Information Officer

O/o Deputy Commissioner,
Fazilka.

Public Information Officer

O/o Block Development and
Panchayat Officer (BDPO)
Fazilka.

First Appellate Authority-cum-

O/o Deputy Commissioner,
Fazilka.

....Respondents

AC No. 741 of 2021

Present: (i) **Shri Surjit Singh, Appellant.**
(ii) **None on behalf of the PIO/ respondent.**

ORDER:

(Heard Through Cisco Webex)

1. This order may be read with reference to the order dated 14.09.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Surjit Singh, appellant comes present to attend the hearing through cisco webex.
3. Neither the PIO has come present to attend the hearing in person before the Bench nor he has deputed any of his representative to attend the hearing. On the previous hearing, Shri Pardeep Singh, RTI Assistant had stated that the RTI application has been transferred to PIO O/o Addl. Deputy Commissioner (Dev.), Fazilka. The letters dated 02.11.2021 and 13.12.2021 available in the case file show that the information is to be supplied by the PIO/B.D.P.O. Fazilka, from whom letter dated 13.12.2021 has been received stating that the information has been supplied to appellant vide letter dated 11.12.2021.

Cont..P-2



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AC No.741/2021

4. Due to poor connectivity through cisco webex, Shri Surjit Singh, appellant is contacted on mobile phone. He states that he had visited the office of BDPO, Fazilka and he has been provided partial information and he is not satisfied with the same.

5. PIO O/o BDOP Fazilka is again directed to call the appellant to his office before the next hearing and allow him access to the relevant official records. The appellant will inspect the relevant official records of MGNREGA scheme and identify the information he needs. The PIO is directed to provide the information to the appellant so identified by him before next hearing. The PIO is also directed to file an affidavit on non-judicial stamp paper as per directions given on the previous hearing. He is further directed to ensure to come present in person bringing along the relevant record along with the information supplied, the original affidavit and a photocopy of the same and produce before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

Chandigarh
15.12.2021

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

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Smt. Poonam Bala
D/o Late Shri Sudarshan Kumar
W/o Shri Vikas Goel
R/o 43, Sher Singh Colony,
Opp. Namdhari Kanda,
Tarn Taran Road, Amritsar.

.....Appellant

Versus

Public Information Officer
O/o Greater Mohali Area Development
Authority (GMADA), Mohali.

First Appellate Authority
O/o Chief Administrator,
Greater Mohali Area Development
Authority (GMADA), Mohali.

...Respondents

AC No.4012 of 2021

Present: (i) **Smt. Poonam Bala, Appellant, in person.**
(ii) **None on behalf of the PIO/Respondent.**

ORDER

1. The RTI application is dated 01.02.2021 vide which the appellant has sought information as enumerated in her RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 23.03.2021 and the second appeal was filed in the Commission on 03.09.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 17.11.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Smt. Poonam Bala, appellant comes present in person to attend the hearing before the Bench. She states that information has been supplied to her by PIO vide letter dated 01.09.2021 which is not satisfactory.

3. Neither the PIO has come present nor he has deputed any of his representatives to attend the hearing on behalf of the PIO before the Bench. The Bench observes that RTI application of the appellant is dated 01.02.2021 and the first appeal is dated 23.03.2021. The PIO has not come present and complete information has not been provided to the appellant in spite of lapse of more than eleven months. The Bench views the indifferent attitude of the PIO adversely.

Cont..P-2



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AC No.4012/2021

4. The PIO is O/o Chief Administrator, GMADA, Mohali is issued show cause notice to explain his absence and 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 failing to appear for the hearing and for not complying with the directions of the Bench. 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 her in getting the information.

5. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for 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 proceedings against him ex-parte.

6. PIO is directed to provide complete information to the appellant and also ensure to come present before the Bench in person on the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.12.2021**

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

Copy to (By Regd.Post)

**Public Information Officer
O/o Chief Administrator,
GMADA, Mohali.**

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Smt. Krishna Rani,
W/o Shri Dharam Singh @ Dhan Singh,
R/o Street No.2, Basant Avenue,
Near Citi Walkmall, College Road,
Abohar, District Fazilka.

.....Appellant

Versus

Public Information Officer
O/o Sr. Superintendent of Police,
Fazilka.

First Appellate Authority
O/o Inspector General of Police,
Ferozepur Range,
Ferozepur Cantt.

... Respondents

AC No.3932 of 2021

Present: (i) **Shri Bhupinder Singh Gill, Advocate on behalf of appellant**
(ii) **ASI Satpal Chand, I/c RTI Cell, O/o SSP Fazilka,**
on behalf of the PIO/Respondent.

ORDER

(Heard in person/through cisco webex/on mobile phone)

1. The RTI application is dated 16.04.2021 vide which the appellant has sought information as enumerated in her RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 16.06.2021 and the second appeal was filed in the Commission on 01.09.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 17.11.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Bhupinder Singh Gill, Advocate comes present in person to attend the hearing on behalf of the appellant and produces his Power of Attorney. He states that the appellant has sought the locations of mobile numbers as mentioned in RTI application on 18.03.2021 from 03.00 PM to 09.00 PM as also the CCTV recording at different locations of Abohar city which has not been provided to the appellant and a letter dated 30.10.2021 has been received by appellant justifying non-supply of information sought by the appellant.

Cont..P-2



3. ASI Satpal Chand, I/c RTI Cell O/o SSP Fazilka comes present to attend the hearing on behalf of the PIO through cisco webex. Due to some connectivity problem, he is contacted on mobile phone. He states that reply to the appellant has been given vide letter dated 19.05.2021 and then vide letter dated 02.06.2021 to the effect that the information sought by her does not come within the purview of RTI Ac, 2005 under Section 8.1(J), 8.1(g). He is also made to talk to Shri Bhupinder Singh Gill, Advocate to whom he explains that CCTV gets automatically deleted after one month and also refers to the above provisions of RTI Act. Shri Bhupinder Singh, representative of appellant apprises the representative of PIO that the CCTV recording, if deleted, can be retrieved and also emphasises that the said recording and mobile locations be provided to the appellant as it involves the career and future of the son of the appellant who is an educated boy.

4. Post deliberations, the Bench observes that the information sought by the appellant involves the career of an educated boy of the appellant who is reported by the representative of appellant to have been implicated in a false case by the Police authorities. Accordingly, in view of the circumstances explained by the representative of appellant, the Bench directs the PIO to make sincere efforts to make available the information as sought by the appellant before the next hearing. The PIO is also directed to come present in person before the Bench.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.12.2021**

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

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Shri Sat Pall Sharma,
S/o Shri Gian Chand Sharma,
No.3623, Street No.1,
Durga Puri, Haibowal Kalan,
Distt:Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Chief Administrator,
GLADA, Ludhiana.

First Appellate Authority

O/o Chief Administrator,
GLADA, Ludhiana.

....Respondents

AC No.662 of 2021

Present: (i) **Shri Sat Pall Sharma, the Appellant in person.**
(ii) **None is present on behalf of the respondent.**

ORDER

(Heard in Person)

1. This order may be read with reference to the order dated 14.09.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. The appellant Shri Sat Pall Sharma has not come present to attend the hearing in person before the Bench.
3. The PIO has also not come present to attend the hearing nor he has deputed any of his representatives to attend the hearing.
4. The Bench observes that on the previous hearing also, the PIO did not come present and he was directed to supply complete information to the appellant as also to bring along the entire relevant record and produce before the Bench. However, he has not complied with the directions of the Bench
- 5.. In the absence of the appellant as well as the PIO or his representative, the Bench is unable to proceed further and deems it appropriate to adjourn the matter. The PIO is directed to comply with the directions given by the Bench vide orders dated 14.09.2021.

Cont...P-2



-2-

AC No.662 of 2021

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

**Chandigarh
15.12.2021**

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