

**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 Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

Public Information Officer

O/o The Secretary,
Regional Transport Authority,
Bathinda.

First Appellate Authority

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

....Respondents

AC No.1423 of 2020

Present: (i) Appellant- absent.
(ii) Shri Harivansh, Data Entry Operator O/o Secretary, R.T.A., Bathinda
On behalf of the PIO.

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 15.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. at DC Office, Bathinda. The appellant has neither come present to attend the hearing before the Bench nor has sent any intimation in this regard.
3. Shri Harivansh, Data Entry Operator O/o Secretary, RTA Bathinda comes present to attend the hearing through V.C. on behalf of the PIO. He states that the appellant has been provided information vide letter dated 04.11.2020 and he has also been asked to inspect the record in case he is not satisfied with the information supplied.
4. Since the appellant is absent, he is contacted on phone. On repeated attempts made to contact him, his mobile phone is found to be switched off.
5. The Bench observes that firstly, the appellant has not come present and then, he has also switched off his mobile phone knowing fully well that hearing in his appeal case is scheduled for today. The Bench cannot arrive at any decision unilaterally. This irresponsible attitude of the appellant is unbecoming and vexatious as it amounts to wastage of time of the public authority as well as the Commission.
6. To give a fair chance to the appellant, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C. in D.C. Office, Bathinda.** Copies of the order be sent to the concerned parties.

**Chandigarh
16.11.2020**

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

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Shri Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

Public Information Officer

O/o The Secretary,
Regional Transport Authority,
Jalandhar.

First Appellate Authority

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

....Respondents

AC No.1422 of 2020

Present: (i) Appellant- absent.
(ii) None on behalf of the PIO.

ORDER:

1. This order may be read with reference to the order dated 15.09.2020 passed by this Bench on the previous date of hearing.
2. The case was scheduled to be heard today through V.C. at DC Office, Jalandhar. The appellant has neither come present to attend the hearing before the Bench nor he has sent any intimation in this regard.
3. Neither the PIO has not come present nor any official has been deputed to attend the hearing through V.C. in DC Office, Jalandhar. However, an e-mail dated 16.11.2020 has been received from Shri Eshan Sharma, Section Officer, office of Secretary, R.T.A. Jalandhar stating that two letters dated 01.12.2019 and 09.12.2019 were received from the appellant enquiring about the amount to be deposited in lieu of the information to be supplied. Reply has been sent to the appellant to his letters vide letter dated 20.12.2019 by registered post informing him that the information comprises photocopies of 40 challans. The appellant was asked to deposit fee accordingly which has not been deposited with the PIO so far due to which information has not been supplied to him. He further states that an intimation was also given to the Commission vide letter dated 17.08.2020.
4. Since the appellant is absent, he is contacted on phone. On repeated attempts made to contact him, his mobile phone is found to be switched off.



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AC No.1422/2020

5. The Bench observes that firstly, the appellant has not come present and then, he has switched off his mobile phone knowing fully well that hearing in his appeal case is scheduled for today. The Bench cannot arrive at any decision unilaterally. This irresponsible attitude of the appellant is unbecoming and vexatious as it amounts to wastage of time of the public authority as well as the Commission.

6. To give a fair chance to the appellant, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C. in D.C. Office, Jalandhar.** Copies of the order be sent to the concerned parties.

**Chandigarh
16.11.2020**

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

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Shri Sanjeev Saini S/o Shri Hargopal
R/o # 63/3, Friends Colony,
Opp. DAV College, Jalandhar.

.....Appellant

Versus

Public Information Officer

O/o The Nodal Officer,
IK Gujral Punjab Technical University,
Jalandhar.

First Appellate Authority

O/o The Registrar,
IK Gujral Punjab Technical University,
Jalandhar.

....Respondents

AC No.2423 of 2020

Present:

- (i) Appellant- absent.
- (ii) Shri Angrez Singh, Senior Assistant O/o Punjab Technical University, Jalandhar on behalf of the PIO/Respondent.

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 03.03.2020 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 11.03.2020 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 16.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Jalandhar. Shri Sanjeev Saini, appellant has not come present to attend the hearing through V.C.
3. Shri Angrez Singh, Senior Assistant O/o P.T.U. Jalandhar comes present to attend the hearing through V.C. on behalf of the PIO. He states that the requisite information has been supplied to the appellant vide letter dated 10.11.2020 by registered post as also by e.mail.
4. Since the appellant is absent, he is contacted on mobile phone. On repeated attempts made to contact him, the appellant does not respond.

.....Cont..P-2



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AC No.2423/2020

5. On enquiring from the representative of the PIO by the Bench, he states that the information as available in the official records has been supplied to the appellant. Nothing beyond the information provided exists in official records. As such, the PIO is directed to file an affidavit, within next seven days, duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.2423/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic. Original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

6. With the aforesaid directions, **the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
16.11.2020**

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

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Shri Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

Public Information Officer
O/o Regional Transport Authority,
Faridkot.

First Appellate Authority-cum-
State Transport Commissioner,
Punjab, Sector-17C, Chandigarh.

....Respondents

AC No.1409 of 2020

Present: (i) Appellant- absent.
(ii) None on behalf of the PIO.

ORDER:

1. This order may be read with reference to the order dated 15.09.2020 passed by this Bench on the previous date of hearing.
2. The case was scheduled to be heard today through V.C. at DC Office, Faridkot. The appellant has neither come present to attend the hearing before the Bench nor has sent any intimation in this regard.
3. Neither the PIO has come present nor any official has been deputed to attend the hearing through V.C. in DC Office, Faridkot.
4. The Bench observes that the PIO is absent for the second consecutive time for the hearing. Neither the PIO has supplied any information to the appellant nor has sent any intimation to the Commission in this regard. This indifferent attitude of the PIO is viewed adversely.
5. The PIO O/o Secretary, Regional Transport Authority, Faridkot 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.



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AC No.1409/2020

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 directed to supply the entire information to the appellant before next date of hearing and also to ensure to attend the next hearing in person through V.C.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C. in D.C. Office, Faridkot.** Copies of order be given to the concerned parties.

**Chandigarh
16.11.2020**

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

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Shri Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

Public Information Officer

O/o The Secretary,
Regional Transport Authority,
Faridkot.

First Appellate Authority-cum-

State Transport Commissioner,
Punjab, Sector-17C, Chandigarh.

....Respondents

AC No.1424 of 2020

Present: (i) Appellant- absent.
(ii) None on behalf of the PIO.

ORDER:

1. This order may be read with reference to the order dated 15.09.2020 passed by this Bench on the previous date of hearing.
2. The case was scheduled to be heard today through V.C. at DC Office, Faridkot. The appellant has neither come present to attend the hearing before the Bench nor has sent any intimation in this regard.
3. Neither the PIO has come present nor any official has been deputed to attend the hearing through V.C. in DC Office, Faridkot.
4. The Bench observes that the PIO is absent for the second consecutive time for the hearing. Neither the PIO has supplied any information to the appellant nor has sent any intimation to the Commission in this regard. This indifferent attitude of the PIO is viewed adversely.
5. The PIO O/o Secretary, Regional Transport Authority, Faridkot 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.

Cont..P-2



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AC No.1424/2020

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 directed to supply the entire information to the appellant before next date of hearing and also to ensure to attend the next hearing in person through V.C.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C. in D.C. Office, Faridkot.** Copies of order be given to the concerned parties.

**Chandigarh
16.11.2020**

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

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Shri Anil Kumar Handa,
R/o Shri Guru Angad Dev Nagar,
Street No.5, Opp. Girls College Ground,
Amloh Road, Khanna
District Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council, Khanna,
District Ludhiana.

First Appellate Authority

O/o Regional Deputy Director,
Urban Local Bodies, Ludhiana.

....Respondents

AC No.1439 of 2020

Present: (i) Appellant- absent
(ii) None on behalf of the PIO.

ORDER:

1. This order may be read with reference to the order dated 29.07.2015 passed by this Bench on the previous date of hearing.
2. The case was scheduled to be heard today through V.C. at DC Office, Ludhiana. Neither the PIO has come present to attend the hearing nor has deputed any of his representative to attend the hearing through V.C.
3. The appellant Shri Anil Kumar Handa has also not come present to attend the hearing through V.C. He has, however, sent letter dated 01.10.2020 stating therein that the information sought by him has been received and he is satisfied with the information supplied. He further states that he does not want to pursue the matter further.
4. In view of the above, **the appeal case is disposed off and closed.** Copies of order be given to the concerned parties.

**Chandigarh
16.11.2020**

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

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Shri Anil Kumar,
R/o H.No.1527, Street NO.5,
New Chander Nagar,
(Opp. Yuvraj Nursing Home),
Civil Lines, Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o The Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o The Commissioner,
Municipal Corporation, Ludhiana.

....Respondents

AC No.1394 of 2020

Present:

- (i) **Shri Ashok Kumar, on behalf of the Appellant.**
- (ii) **Shri Anil Bakshi, APIO, O/o Municipal Corporation, Ludhiana
On behalf of the PIO.**

ORDER:

(Heard Through Video Conferencing)

1. This order may be read with reference to the order dated 15.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. at DC Office, Ludhiana. Shri Ashok Kumar, the younger brother of the appellant has come present to attend the hearing through V.C. on behalf of the appellant.
3. Shri Anil Bakshi, APIO comes present on behalf of the PIO. He states that the information has been sent to the appellant by speed post today i.e. 16.11.2020. He states that during the course of hearing, the copies of ACRs have also been shown to the representative of the appellant on WhatsApp.
4. Post deliberations, the Bench directs the APIO to send the information on WhatsApp to the representative of the appellant during the hearing itself and the APIO forwards the details on WhatsApp. The representative of the appellant expresses satisfaction after going through the information received on WhatsApp. On the asking of the Bench, he gives his consent to close the case.
5. In view of the above, no further cause of action is left in the matter. **The appeal case is disposed off and closed.** Copies of order be given to the concerned parties.

**Chandigarh
15.09.2020**

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

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Shri Inderpal Singh,
S/o Shri Surjit Singh
R/o 1558/1, Amarpura,
Ludhiana.
Presently: #240, Block-B,
Ahluwalia Colony, Jamalpur
District Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

Public Information Officer
O/o Superintendent,
Tehbazari Branch,
Municipal Corporation, Ludhiana.

Public Information Officer
O/o Nodal Officer, RTI
Municipal Corporation,
Ludhiana.

Public Information Officer
O/o Horticulture Branch,
Zone-C, Municipal Corporation,
Ludhiana.

First Appellate Authority-cum-
The Commissioner,
Municipal Corporation, Ludhiana.

....Respondents

AC No.1559 of 2020

Present: (i) Shri Inderpal Singh, appellant.
(ii) Shri Satish Kumar, ATP/PIO, Zone-C, and Shri Sanjeev Uppal, Supdt./PIO
Zone-C, Municipal Corporation, Ludhiana.

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 15.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. in D.C. Office, Ludhiana. The appellant Shri Inderpal Singh comes present to attend the hearing through V.C. He states that he has not received information as per his RTI application.
3. Shri Satish Kumar, ATP/PIO, Zone-C, M.C. Ludhiana comes present and states that since the RTI application was received in Drawing/Building Branch Zone-C from Zone B on 23.07.2020 and since the same relates to Superintendent, Tehbazari Branch, Zone-C, Municipal Corporation, Ludhiana, it was transferred to him on 13.08.2020. He further states that the information also relates to Nodal Officer and Horticulture Branch, Zone C of M.C. Ludhiana who be impleaded as respondents.



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AC No.1559/2020

4. Shri Sanjeev Uppal, Supdt. (HQ), Zone C, Tehbazari Branch comes present and states that the information relating to his branch has been supplied to the appellant vide letter dated 05.10.2020

5. The Nodal Officer, RTI, Municipal Corporation, Ludhiana and Superintendent/PIO, Horticulture Branch, Zone-C, Municipal Corporation, Ludhiana are impleaded as respondents. They are directed to supply information to the appellant as per his RTI application before the next date of hearing and also attend the next hearing along with the PIO of Drawing/Building Branch and Superintendent(HQ)/PIO, Tehbazari Branch. In view of the reply filed, the show cause notice issued to PIO/ATP, Drawing/Building Branch, Zone C, Municipal Corporation, Ludhiana is dropped.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C in the office of DC Ludhiana.** Copies of order be given to the concerned parties.

**Chandigarh
16.11.2020**

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

Copy (By Regd.Post) to:

- (i) Nodal Officer, RTI,
Municipal Corporation,
Ludhiana.**
- (ii) The Superintendent/PIO,
Horticulture Branch,
Zone-C, Municipal Corporation,
Ludhiana.**

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Shri Ravinderpal Singh,
S/o Shri Kanwaljit Singh
R/o 2360, Amarpura,
Near Krishan Model School,
Kidwai Nagar, Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

First Appellate Authority-cum-
The Commissioner,
Municipal Corporation, Ludhiana.

....Respondents

AC No.1560 of 2020

Present: (i) **Shri Ravinderpal Singh, appellant.**
(ii) **Shri Devinder Singh, Draftsman, O/o Zone-A, Municipal Corporation, Ludhiana**
On behalf of the PIO.

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 15.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. at DC Office, Ludhiana. Shri Ravinder pal Singh, appellant comes present to attend the hearing through V.C.
3. Shri Devinder Singh, Draftsman, Zone-A M.C. Ludhiana comes present to attend the hearing on behalf of the PIO. He states that the appellant was called to office on 17.09.2020 and the information was shown to him on the website of the Municipal Corporation as the same is not available in physical form and the detail of challans issued by the Corporation are available on the website. Necessary Link was also informed to the appellant.
4. Post deliberations, the appellant states that he was not able to download any information on accessing the website of the Municipal Corporation. He also needs information point-wise relating to his RTI application as he has asked for action taken report on the complaint made by him on 10.07.2019 and 07.12.2019 in connection with the illegal buildings being constructed in Ludhiana city from Jagraon Bridge to



-2-

AC No.15602020

Old Sabzi Mandi in connivance with the employees of the Municipal Corporation. The Bench directs the PIO to supply the action taken report on the complaint made by the appellant, apart from providing the correct Link to the appellant to access the website of the Municipal Corporation to get information sought by him. After the supply of entire information to the appellant, PIO is also directed to file an affidavit, as directed on the previous date of hearing.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C in the office of DC Ludhiana.** Copies of order be given to the concerned parties.

**Chandigarh
16.11.2020**

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

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

Shri Paramjeet Singh,
R/o # 1426-D, Model Town,
Ludhiana.-141001

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

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

....Respondents

AC No.1897 of 2020

Present: (i) Appellant- absent.
(ii) Shri Parminder Kumar Kalra, Superintendent (HQ)/PIO, Tehbazari Branch,
Zone-D, Municipal Corporation, Ludhiana.

ORDER:

(Heard through Video Conferencing/ On Mobile Phone)

1. This order may be read with reference to the order dated 21.09.2020 passed by this Bench on the previous hearing.
2. The case has been heard today through V.C. in the office of D.C. Ludhiana. Shri Paramjeet Singh, Appellant has not come present to attend the hearing through V.C.
3. Shri Parminder Kumar Kalra, Supdt. (HQ)/PIO, Tehbazari Branch, Zone-D, Municipal Corporation, Ludhiana comes present to attend the hearing through V.C. He states that partial information was sent to the appellant vide letter dated 07.01.2020 and again, being voluminous, the information in the form of a C.D. has been sent to the appellant vide letter dated 29.10.2020 by registered post.
3. Since Shri Paramjeet Singh, appellant is absent, he is contacted on mobile phone. He states that though he has received the C.D. but it does not open due to which he could not access the information.
4. Post deliberations, the appellant is advised to visit the office of PIO to inspect the official records and identify the information. The PIO will allow him access to the relevant official records and will provide the information which may be identified by the appellant.
5. The PIO is also directed to file reply to the show cause notice before the next hearing and also to file an affidavit as per directions given on the previous date of hearing.



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AC No.1897/2020

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
16.11.2020**

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

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Shri Jagshir Singh,
S/o Shri Gian Singh
R/o # 9/20, Mandi Maullanpur,
District Ludhiana

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Mullanpur Dakha,
District Ludhiana.

First Appellate Authority

O/o Deputy Director,
Local Government,
Mini Secretariat, Ludhiana.

....Respondents

AC No.1725 of 2020

Present: (i) Appellant- absent.
(ii) None is present on behalf of the PIO.

ORDER:

1. This order may be read with reference to the order dated 21.09.2020 passed by this Bench on the previous hearing.
2. The case was scheduled to be heard today through V.C. in the office of D.C. Ludhiana. Neither Shri Jagshir Singh, Appellant has come present to attend the hearing through V.C. nor any intimation has been received from him.
3. The PIO has also not come present to attend the hearing through V.C. nor has deputed any of his representative to attend the hearing through V.C. However, an e.mail dated 16.11.2020 has been received from the PIO, Municipal Council, Mullanpur Dakha that the Superintendent of Municipal Council, Jagraon holds the additional charge of Executive Officer, Municipal Council, Mullanpur Dakha and due to some other engagements, he is unable to attend the hearing and thus, has requested for another date of hearing.
4. In view of the above, the hearing through V.C. could not be held. However, on perusal of relevant case file, the Bench observes that neither any information has been supplied to the appellant nor the PIO has filed reply to the show cause notice issued earlier. It has also not been informed whether the appellant was called to the office to inspect the official records to identify the information he requires. PIO is, therefore, directed to comply with the directions of the Bench given on the previous hearing and supply information to the appellant as also to file an affidavit as per directions given on the previous hearing.

Cont...P-2



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AC No.1725/2020

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

Chandigarh
16.11.2020

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

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

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Shri Harjit Singh,
R/o # 10-B, Medical Enclave,
Circular Road, Amritsar-143001

.....Appellant

Versus

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

First Appellate Authority-cum-
Principal Secretary to Govt. of Punjab,
Department of Transport,
Punjab Civil Secretariat-2,
Sector-9, Chandigarh.

....Respondents

AC No.1416 of 2020

Present: (i) Shri Harjit Singh, appellant.
(ii) Shri Gurpreet Singh, Section Officer/PIO, O/o Secretary, R.T.A. Amritsar.
(iii) Shri Piara Singh, A.T.O./PIO, O/o S.T.C. Punjab, Chandigarh in person
before the Bench.

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 15.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. at DC Office, Amritsar. The appellant Shri Harjit Singh comes present. He states that he has not been provided information as per his RTI application by the PIO as sought by him and the reply given is not appropriate as he had sought action report on his complaint dated 02.11.2019.
3. Shri Gurpreet Singh, Section Officer/ PIO O/o Secretary, R.T.A. Amritsar comes present and states that the information has been supplied to the appellant vide letter dated 12.11.2020. Shri Piara Singh, PIO also informs that the information has been supplied by the PIO O/o Secretary, R.T.A. Amritsar.
4. The Bench, on perusal of the file, observes that the PIO has not provided the relevant information to the appellant as per points raised in the RTI application and thus, the reply dated 12.11.2020 given by the PIO is of no relevance.
5. The PIO, O/o Secretary, Regional Transport Authority, Amritsar is directed to give specific reply to the points raised by the appellant and provide him the action taken report on his complaint as also the copies of official comments/notings made while dealing with the complaint of appellant.



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AC No.1416/2020

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C in the office of DC Amritsar.** Copies of order be given to the concerned parties.

**Chandigarh
16.11.2020**

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

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
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Shri Surinder Kumar,
S/o Shri Bhagwan Dass,
Partap Nagar Welfare Society,
Ward No.8, Fatehgarh Churian,
District Gurdaspur.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council, Fatehgarh Churian
District Gurdaspur.

First Appellate Authority

O/o Deputy Director,
Urban Local Bodies, Amritsar.

....Respondents

AC No.1502 of 2020

Present: (i) Shri Surinder Kumar, appellant
(ii) None on behalf of the PIO.

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 15.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. in D.C. Office, Gurdaspur. The appellant Shri Surinder Kumar comes present and states that some information has been provided to him and that deficiencies pointed out by him to the PIO have also not been addressed.
3. Neither the PIO has come present to attend the hearing through V.C. nor has deputed any of his representative to attend the hearing on his behalf. However, a letter dated 17.09.2020 has been received from the PIO stating that an appeal case No.1222/2020 has already been disposed off by this Bench vide order dated 04.08.2020 and the subject matter of said case is the same as that of the instant appeal case No.1502 of 2020 and has requested to dispose off the same.
4. The Bench, as per the version of the PIO, peruses the relevant case file and observes that the RTI applications of the appellant in both the cases are the same, but finds from the perusal of order dated 04.08.2020 passed in AC No.1222/2020 that the said appeal case was disposed off on the withdrawal of that appeal case by the appellant himself. On enquiring from the appellant, he states that being the same subject, he had withdrawn AC No.1222/2020 and now he wants to pursue the instant appeal case.



5. The Bench further observes that the PIO has not complied with the directions of the Bench given on the previous hearing and has also not come present to attend the hearing. The PIO O/o Executive Officer, Municipal Council, Fatehgarh Churian, District Gurdaspur is issued show cause notice to explain his absence and to explain as to why action should not be taken against him for not complying with the direction of the Bench 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.

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 directed to supply the entire information to the appellant after addressing the deficiencies pointed out by the appellant before next date of hearing and also to comply with the direction given on the previous hearing as also to ensure to attend the next hearing in person through V.C.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C. in D.C. Office, Gurdaspur.** Copies of order be given to the concerned parties.

**Chandigarh
16.11.2020**

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

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Shri Khushal Chand Vohra,
OBC Bank Wali Gali,
Dera Baba Nanak,
District Gurdaspur.

.....Appellant

Versus

Public Information Officer
O/o Police Station,
Dera Baba Nanak,
District Gurdaspur.

First Appellate Authority
O/o Sr. Supdt. Of Police,
Batala, District Gurdaspur.

....Respondents

AC No.2527 of 2020

Present: (i) Shri Khushal Chand Vohra, appellant
(ii) Shri Mohinder Pal, SI, Addl.SHO/APIO, P.S. Dera Baba Nanak,
on behalf of the PIO.

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 12.04.2019 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 10.07.2020 and the second appeal was filed in the Commission on 08.09.2020 under Section 19 of the 2Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 16.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Gurdaspur. Shri Khushal Chand Vohra, appellant comes present to attend the hearing through V.C. and states that he has sought videography CCTV footage of the camera installed in Police Station, Dera Baba Nanak from 27.03.2019 to 07.04.2019 which has not been made available to him by the PIO.
3. SI Mohinder Pal, Addl.SHO/PIO, Police Station, Dera Baba Nanak, District Gurdaspur comes present and states that reply has been given vide letter dated 27.10.2020 to the effect that the Police Station, Dera Baba Nanak, falls in the border area and from security point of view, meetings are often held with the Army, B.S.F. and security related agencies, due to which the CCTV footage of PS Dera Baba Nanak cannot be supplied.



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AC No.2527/2020

4. On enquiring from the appellant and his son accompanying him, states that an accused was got arrested at their instance but on their further enquiry, it was found that the said accused was not found arrested in the official records and the officials of the Police Station denied to have arrested any accused at their instance. It is implied that the said accused had been set free by the Police Officials on their own without taking any action against him. He further states that this is their main grievance and that is why, the said CCTV footage is required by them.

5. On listening to the version of the appellant, the Bench is convinced and observes that the information asked for by the appellant deserves to be provided to him as it points to wrong doing and corruption by the Police Station under question. Therefore, the Bench over-rules the contention raised by the SHO, Police Station, Dera Baba Nanak on the plea of security reasons and directs the PIO O/o SHO Police Station, Dera Baba Nanak, District Gurdaspur to provide the appellant the CCTV camera footage for the period sought, before the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 02.02.2021 at 11.30 AM through V.C. in D.C. Office, Gurdaspur.** Copies of order be given to the concerned parties.

**Chandigarh
16.11.2020**

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