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

.....Appellant

Versus

Public Information Officer

O/o Motor Vehicle Registration Authority, Hoshiarpur.

First Appellate Authority

O/o Secretary, Regional Transport Authority, Hoshiarpur.

....Respondents

AC No.1095 of 2020

Present: (i) Shri Shakti Bhushan, Appellant (Heard through Webex)

(ii) Shri Darshan Singh, Section Officer O/o Secretary, RTA Hoshiarpur.

PIO (Contacted on mobile phone)

- 1. This order may be read with reference to the order dated 27.07.2020 passed by this Bench on the previous date of hearing..
- 2. The case has been heard today through Cisco Webex. The appellant Shri Shakti Bhushan attends the hearing through CISCO Webex. He states that neither any information has been provided to him nor any communication has been received from the PIO regarding inspection of the records to enable him to identify the information.
- 3. Nobody from the office of Motor Vehicle Registration Authority, Hoshiarpur has come present to attend the hearing through Cisco Webex. As such, contact was made on phone with Sh.Baldev Randhawa, who was contacted on the previous hearing. He states that he had the additional charge earlier but now Shri Karan Singh is the Motor Vehicle Registration Authority, Hoshiarpur. However, on contacting him, he named Sh.Darshan Singh as the concerned person. On contacting Shri Darshan Singh, he states that he is the PIO in the office of Motor Vehicle Registration Authority, Hoshiarpur. On enquiring from him regarding the appeal case No.1095 of 2010, he shows his ignorance about the case, which is surprising and the Bench views it adversely.

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-2-

AC No.1095/2020

4. The Bench observes that the appellant was not called to the office of PIO to allow him access to the official records to identify the information he needs and thus, the directions of the Bench have not been

complied with.

5. The Public Information Officer O/o Motor Vehicle Registration Authority, Hoshiarpur is issued

show cause notice to explain his absence through Cisco Webex 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 complying

with the directions of the Commission and not supplying the information to the appellant. The PIO 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 comply with the directions of the Commission given on the previous

date of hearing and to supply complete information to the appellant before the next date of hearing. The PIO

is also directed to attend the hearing on the next date

8. With the aforesaid directions, the matter is adjourned. To come up for hearing on

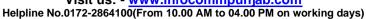
28.09.2020 at **11.30 AM** through **Cisco Webex**. Copies of the order be sent to the concerned parties.

Chandigarh 17.08.2020 Sd/(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab

Copy to (By Regd. Post)

The Public Information Officer O/o Motor Vehicle Registration Authority, Hoshiarpur

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

.....Appellant

Versus

Public Information Officer

Motor Vehicle Registration Authority, Nawanshahar.

First Appellate Authority

O/o Secretary, Regional Transport Authority, Hoshiarpur.

....Respondents

AC No.1093 of 2020

Present: (i) Shri Shakti Bhushan, Appellant

(ii) None.

ORDER

- 1. This order may be read with reference to the order dated 27.07.2020 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through Cisco Webex. The appellant Shri Shakti Bhushan attends the hearing through CISCO Webex. He states that partial information has been provided to him.
- 3. Nobody from the office of Motor Vehicle Registration Authority, Nawanshahar has come present to attend the hearing through Cisco Webex. However, a letter dated 21.07.2020 had been received from the PIO O/o SDM Nawanshahar according to which, the copies of bills of the Swaraj Tractors registered in series PB32A from 01.01.2014 to 30.09.2020 have been sent to the appellant. Regarding some of the series, the record is stated to have been scanned in old CPS system and is not available in online system of the office and the appellant has been asked to contact the office of State Transport Commissioner.
- 4. The Bench observes that the appellant was not called to the office of PIO to allow him access to the official records to identify the information he needs and thus, the directions of the Bench have not been complied with in it totality.

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-2-

AC No.1093/2020

5. The Public Information Officer O/o Motor Vehicle Registration Authority, Nawanshahar is issued show cause notice to explain his absence through Cisco Webex 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 complying with the directions of the Commission and not supplying the complete information to the appellant. The PIO 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 comply with the directions of the Commission given on the previous date of hearing and to supply complete information to the appellant before the next date of hearing. The PIO is also directed to attend the hearing on the next date
- 8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.09.2020 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

Chandigarh 17.08.2020

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

Vehicle Registration Authority, O/o Sub Divisional Magistrate, Patran, District Patiala.

First Appellate Authority

O/o Secretary, Regional Transport Authority, Patiala.

....Respondents

AC No.1085 of 2020

Present: (i) Shri Shakti Bhushan, Appellant

(ii) Shri Ajay Kumar, O/o Vehicle Registration Authority, SDM Patran

On behalf of the PIO.

ORDER

- 1. This order may be read with reference to the order dated 27.07.2020 passed by this Bench on the previous date of hearing.
- 2. The case has been heard today through Cisco Webex. The appellant Shri Shakti Bhushan attends the hearing through CISCO Webex. He states that information has not been provided to him.
- 3. Shri Ajay Kumar from the O/o Vehicle Registration Authority, SDM Patran, District Patiala comes present to attend the hearing through Cisco Webex. He states that the requisite information and affidavit have been prepared. He requests the appellant to visit the office of PIO and collect the same.
- 4. The Bench contacts the appellant who says that he has no objection in visiting the office of PIO to collect the information, however, he observes that last time when he had been asked to visit the office of the PIO, he was asked to first get his statement recorded on instructions of the SDM and only then would be given access to the information requested for. This is not acceptable & not tenable under the RTI Act, 2005. He had, thus, refused the same and not visited the office of the PIO.
- 5. The Bench then discussed the matter with the representative of the PIO and expressed its displeasure over the manner in which the appellant is being asked to get his statement recorded by visiting their office before being shown the case related documents.



-2- <u>AC No.1085/2020</u>

- 6. Post deliberations with both the appellant and the representative of the PIO, the Bench directs the PIO to send the information as well as the affidavit in original to the appellant within seven days, by registered post, with a copy of the same to the Commission for record.
- 7. With the aforesaid directions, the Appeal Case is disposed off and closed. Copies of the order be sent to the concerned parties.

Chandigarh 17.08.2020

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Shri Trilochan Singh S/o Shri Gurbachan Singh R/o 848-A, MIG Jamalpur, Ludhiana-141010. PSIC Solling Mormation of

.....Appellant

Versus

Public Information Officer

O/o Geneal Manager, Punjab Roadways, Jalandhar-I.

First Appellate Authority-cum-

Director, State Transport, Punjab Sector-17, Chandigarh.

....Respondents

AC No.1671 of 2020

Present: (i) Shri Trilochan Singh, Appellant with Sh.Tejinder Singh, Advocate.

(ii) Shri Gaurav, Senior Assistant O/o G.M. Punjab Roadways, Jalandhar-1

on behalf of the PIO.

ORDER

- 1. The RTI application is dated 12.10.2019 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 23.03.2020 and the second appeal was filed in the Commission on 24.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 17.08.2020 by the Commission through Cisco Webex.
- 3. The case has been heard today through Cisco Webex. The appellant Shri Trilochan Singh along with Shri Tejinder Singh, Advocate comes present to attend the hearing. He states that no information has been provided to him as yet.
- 4. Shri Gaurav, Senior Assistant from the O/o General Manager, Punjab Roadways, Jalandhar-I comes present to attend the hearing through Cisco Webex. He states that the requisite information has been supplied to the appellant vide letter dated 21.01.2020 and a copy has also been sent to the Commission vide letter dated 07.08.2020.
- 5. The appellant states that fee of Rs.30/- for the information was deposited by him. However, the information supplied to him comprises only 08 pages instead of 15 pages for which fee has been got deposited and expresses his dis-satisfaction over the information supplied.

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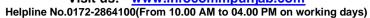
-2- <u>AC No.1671/2020</u>

6. Post deliberations, the Bench directs the PIO to call the appellant to his office and allow him access to the relevant official records. The appellant will inspect the official records and identify the information as per his RTI application. The PIO will provide him the copies of the information so identified free of cost.

- PIO is also directed to file an affidavit duly signed by the PIO and attested by the Notary Public to the effect that requisite information in AC No.1671 of 2020, as available in the official records, has been provided to the Appellant and nothing has been concealed therein. The statement made is correct and authentic. The original copy of affidavit be sent to the appellant and a photocopy sent to the Commission for record.
- 8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.09.2020 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

Chandigarh 17.08.2020

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Shri Trilochan Singh S/o Shri Gurbachan Singh R/o 848-A, MIG Jamalpur, Ludhiana-141010.

.....Appellant

Versus

Public Information Officer

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

First Appellate Authority-cum-Secretary, Regional Transport Authority, Sangrur.

....Respondents

AC No.1677 of 2020

Present: (i) Shri Trilochan Singh, Appellant with Shri Tejinder Singh, Advocate.

(ii) None on behalf of the PIO.

ORDER

- 1. The RTI application is dated 28.02.2020 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 28.03.2020 and the second appeal was filed in the Commission on 24.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 17.08.2020 by the Commission through Cisco Webex.
- 3. The case has been heard today through Cisco Webex. The appellant Shri Trilochan Singh along with Shri Tejinder Singh, Advocate comes present to attend the hearing. He states that no information has been provided to him as yet.
- 4. No one has come present to attend the hearing through Cisco Webex. Thus, an attempt was made to contact the PIO O/o Secretary, Regional Transport Authority, Sangrur but he did not respond to the telephonic call.
- 5. The Bench views the absence of the PIO as well as non supply of information to the appellant adversely as the RTI application is dated 28.02.2020 and First Appeal was filed on 28.03.2020.

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-2-

AC No.1677/2020

6. The Public Information Officer O/o Secretary, Regional Transport Authority, Sangrur is issued show cause notice to explain his absence through Cisco Webex 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. The PIO 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.

- 7. 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.
- 8. The PIO is directed to supply complete information to the appellant before the next date of hearing and attend the hearing in person on the next date. PIO is also directed to file an affidavit duly signed by the PIO and attested by the Notary Public to the effect that requisite information in AC No.1677 of 2020, as available in the official records, has been provided to the Appellant and nothing has been concealed therein. The statement made is correct and authentic. The original copy of affidavit be sent to the appellant and a photocopy sent to the Commission for record.
- 9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.09.2020 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

Chandigarh 17.08.2020

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

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PSIC S

Shri Vikash Bishnoi H.No.350, Sector-15, Hisar (Haryana).

.....Appellant

Versus

Public Information Officer

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

First Appellate Authority

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

....Respondents

AC No.942 of 2020

Present: (i) Shri Vikash Bishnoi, Appellant (Contacted on mobile phone)

(ii) Shri Piara Singh, Assistant Transport Officer O/o State Transport Commissioner, Punjab, Chandigarh/PIO, in person before the Bench.

- 1. The RTI application is dated 07.10.2019 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 16.1.2.2019 and the second appeal was filed in the Commission on 28.02.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 17.08.2020 by the Commission through Cisco Webex.
- 3. The case was scheduled to be heard today through Cisco Webex. The appellant Shri Vikas Bishnoi did not attend the hearing through CISCO Webex.
- 4. Shri Piara Singh, Assistant Transport Officer O/o S.T.C. Punjab, Chandigarh attends the hearing in person before the Bench. He produces letter dated 17.08.2020 before the Bench stating that the Sub Divisional Magistrate-cum-Licensing & Registering Authority, Bhikhiwind was asked vide letter dated 11.08.2020 to send the requisite information. It is further stated that though no response has been received to this letter, but in another case, the SDM Bhikhiwind has intimated the office of S.T.C. Punjab vide letter dated 05.08.2020 that with regard to the Vehicle No.PB-88-8888 mentioned in the instant Appeal Case of the appellant, a case is pending in the Hon'ble Punjab and Haryana High Court, Chandigarh and whatever decision is rendered in the said case by the Hon'ble High Court, the same will be complied with.

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-2- <u>AC No.942/2020</u>

- 5. Shri Vikas Bishnoi, appellant is contacted on mobile phone and apprised of the reply of the PIO. Then, on the asking of the Bench, PIO Shri Piara Singh reads out the reply sent by the Sub Divisional Magistrate-cum-Licensing & Registering Authority, Bhikhiwind to the appellant in connection with the Vehicle No.PB-88-88888. The appellant agrees with the reply of SDM Bhikhiwind and requests for sending a copy of the said letter to him.
- 6. The Bench directs the PIO to send a copy of the letter of the SDM Bhikhiwind along with the letter of State Transport Commissioner, Punjab dated 17.08.2020 to the appellant within next seven days. The PIO assures the Bench to send the same to the appellant.
- 7. In view of the above, no cause of action is left in the matter. The Appeal Case is disposed off and closed. Copies of the order be sent to the concerned parties.

Chandigarh 17.08.2020

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Shri Parveen Kumar, Near Jaat Mohalla, VPO Shahzadpur (Majara) Tehsil Naraingarh, Distt. Ambala (Haryana).

.....Complainant

Versus

Public Information Officer

O/o Regional Transport Authority, SAS Nagar (Mohali).

....Respondents

CC No.175 of 2020

Present: (i) Shri Parveen Kumar, Appellant (Contacted on mobile phone)

(ii) Shri Pardeep Singh Dhillon, Assistant Transport Officer O/o Secretary,

Regional Transport Authority, Mohali.

ORDER

- 1. The RTI application is dated 05.12.2019 vide which the complainant has sought information as enumerated in his RTI application. Appeal was filed in the Commission on 12.02.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 17.08.2020 by the Commission through Cisco Webex.
- 3. The case was scheduled to be heard today through Cisco Webex. The complainant Shri Parveen Kumar did not attend the hearing through CISCO Webex.
- 4. Shri Pardeep Singh Dhillon, Assistant Transport Officer O/o Secretary, R.T.A. Mohali attends the hearing through Cisco Webex. He states that the complainant has been supplied information 3-4 times by registered post along with a copy of the relevant notification and further states that the information is in public domain as it is also available on the website of the R.T.A, Mohali. He clarifies that R.T.A, Mohali has power to impose penalty ranging from Rs.300/- to Rs.600/- in case of challan, keeping in view the type of offence committed. He also states that an email has also been sent to the Commission as well as to the complainant on 04.08.2020 giving the information asked for.
- 5. Shri Parveen Kumar, complainant is contacted on mobile phone and he is explained in detail the issue at hand.



-2- <u>CC No.175/2020</u>

- 6. Post deliberations with the PIO and the complainant, the PIO is directed to send the information once again along with copy of the notification to the complainant by e-mail, as also through special messenger, within seven days.
- 7. With the aforesaid directions, **the Complaint Case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh 17.08.2020

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Shri Vinod Kumar, Aggarwal Karyana Store, Bhiwani Road By-Pass, Jind (Haryana).

..... Appellant

Versus

Public Information Officer
O/o Punjab State Board of Technical
Education & Industrial Training,
Sector-36, Chandigarh.
First Appellate Authority,
O/o Punjab State Board of Technical
Education & Industrial Training,
Sector-36, Chandigarh.

....Respondents

AC No.815 of 2020

- Present: (i) Shri Vinod Kumar, Appellant (Contacted on mobile phone)
 - (ii) Smt.Sarabjit Kaur, APIO, O/o Punjab State Board of Technical Education & Industrial Training, Sector-36, Chandigarh, in person before the Bench.

- 1. The RTI application is dated 06.11.2019 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 11.12.2019 and the second appeal was filed in the Commission on 19.02.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 17.08.2020 by the Commission through Cisco Webex.
- 3. The case was scheduled to be heard today through Cisco Webex. The appellant Shri Vinod Kumar did not attend the hearing through CISCO Webex.
- 4. Smt.Sarabjit Kaur, APIO, O/o Punjab State Board of Technical Education & Industrial Training, Sector-36, Chandigarh/APIO comes present in person before the Bench. She states that the appellant has been sent reply vide letter dated 16.01.2020 and again vide registered letter dated 07.08.2020 to the effect that the information sought relates to third party and cannot be supplied as per provisions of Section 8(i)(j) of the RTI Act, 2005. She further states the same has also been intimated to the Commission vide letter dated 07.08.2020.

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-2- <u>AC No.815/2020</u>

- 5. Shri Vinod Kumar, appellant is contacted on mobile phone and he is apprised of the position explained by the APIO. He admits receipt of letter dated 16.01.2020, but he expresses his concern over the fake Pharmacy degree obtained by the person concerned with the Registration No. quoted by him. The issue is discussed and explained in detail to the appellant. He is told that as per documents shown by the APIO, the concerned person holds a valid degree, however, the information has been rightly denied to him under Section 8(i)(j) of the RTI Act, 2005 as it serves no public activity or interest.
- 6. 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 the order be sent to the concerned parties.

Chandigarh 17.08.2020

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Shri Achhru Bansal, Clerk O/o State Transport Commissioner, Sector-17C, Chandigarh.

.....Appellant

Versus

Public Information Officer

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

First Appellate Authority

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

....Respondents

AC No.843 of 2020

Present: (i) Shri Achhru Bansal, Appellant, in person before the Bench.

(ii) Shri Piara Singh, Assistant Transport Officer O/o State Transport Commissioner, Punjab, Chandigarh/PIO, in person before the Bench.

- 1. The RTI application is dated 13.12.2019 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 10.01.2020 and the second appeal was filed in the Commission on 20.02.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. Notice of hearing was issued to the parties for 17.08.2020 by the Commission to attend the hearing before the Bench.
- 3. Shri Piara Singh, Assistant Transport Officer O/o S.T.C. Punjab, Chandigarh attends the hearing in person before the Bench. He produces letter dated 14.08.2020 before the Bench vide which information has been sent to the appellant. He further states that the information had also been sent earlier vide letter dated 12.02.2020. He observes that no enquiry into the complaint received against the appellant has been got conducted so far. As such, no information regarding the conduct of enquiry can be supplied.
- 4. The appellant is not fully satisfied by the information given so far.
- 5. On the asking of the Bench, the PIO reads out the contents of point wise reply dated 12.02.2020. The Bench informs the appellant that information supplied is in order. The appellant states that he

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-2- AC No.843/2020

had pointed out deficiencies to the PIO vide his letter dated 13.02.2020. The appellant further states that though he is convinced that no enquiry has been conducted into the complaint so far, he requests that a copy of the letter written to the complainant asking for the documents as evidence against the appellant be given to him.

- 6. The Bench directs the PIO that a copy of the letter written by the office of S.T.C. Punjab to the complainant, as pointed out by the appellant, be supplied to him within next seven days. The PIO assures to do the needful.
- 7. With these directions, no further action is called for in the matter. The Appeal Case is disposed off and closed. Copies of the order be sent to the concerned parties.

Chandigarh 17.08.2020