

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh.Lajpat Rai Garg, S/o Sh.Harbans Lal,  
B-3/287, Romana Street, Jaito,  
Distt.Faridkot.

... Appellant

Versus

**Public Information Officer,**  
O/o Addl, Chief Secretary,  
Local Govt, Pb, Chandigarh.

**First Appellate Authority,**  
O/o Addl, Chief Secretary,  
Local Govt, Pb, Chandigarh.

...Respondent

**Appeal case No.611 of 2020**

Present: None for the Appellant  
Ms.Paramjit Kaur, Sr. Assistant O/o Dy Director Local Govt.Pb Ferozepur for the  
Respondent

**ORDER:**

The appellant through RTI application dated 05.11.2019 has sought information 08 points regarding action taken on the letters sent by DC Faridkot for taking necessary action against the employees of MC Jaito – action taken on application dated 21.09.2019 and letters sent from 01.12.2017 to 08.02.2018 against Jagmohan Lal and other information as enumerated in the RTI application concerning the office of Addl. Chief Secretary, Local Govt Punjab. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 13.12.2019 which took no decision on the appeal.

The case was first heard on 26.08.2020. The respondent present pleaded that since the information relates to Regional Deputy Director, Local Govt. Ferozepur, the RTI application was transferred to them vide letter dated 18.11.2019.

The PIO-Regional Deputy Director, Local Govt Punjab, Ferozepur was impleaded in the case and directed to provide the information to the appellant as per the RTI application forwarded by the office of Local Govt. Punjab, Chandigarh on 18.11.2019. A copy of RTI application was attached with the order for the PIO-Local Govt. Punjab, Ferozepur.

**Hearing dated 18.01.2021:**

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that the information has been sent to the appellant vide letter dated 21.10.2020 with a copy to the Commission.

The appellant is absent and vide email has sought exemption.

Having gone through the RTI application, the Commission observes that the RTI application is not legible. The appellant is directed to send a legible typed copy of the RTI application to the Commission.

The appellant is also directed to point out the discrepancies, if any, in the information that has been provided to the PIO. The PIO is directed to remove the discrepancies as per the provisions of the RTI Act.

The case is adjourned. To come up for further hearing on **19.04.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Faridkot.

**Chandigarh**  
**Dated 18.01.2021**

**Sd/-**  
**Khushwant Singh**  
**State Information Commissioner**

**CC to PIO-Regional Deputy Director,**  
**Local Govt. Punjab,**  
**Mall Road, Ferozepur**

**PUNJAB STATE INFORMATION COMMISSION**  
Red Cross Building, Near Rose Garden,  
Sector 16, Chandigarh.  
Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)  
Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh.Amrik Singh, S/o Sh.Mohan Singh,  
Block:J/26/10, BRS Nagar,  
Ludhiana.

... Complainant

Versus

**Public Information Officer,**  
O/o DC,  
Faridkot.

...Respondent

**Complaint case No.325 of 2020**

**PRESENT:     None for the Complainant**  
**None for the Respondent**

**ORDER:**

The complainant through RTI application dated 04.05.2020 has sought information regarding posting of MVI in Faridkot and other Districts – their working details – detail of vehicle provided to MVI – work allotted except passing of vehicles – details of staff deputed under the MVI and other information concerning the office of DC Faridkot. The appellant was not provided the information after which the complainant filed complaint in the Commission on 16.06.2020.

The case has come up for hearing today through video conferencing at DAC Faridkot. The Commission has received a letter from the office of DC Faridkot stating that since the information was related to RTA Faridkot, the RTI application has been transferred to them vide letter dated 19.05.2020 under section 6(3) of the RTI Act.

The PIO-RTA Faridkot is absent and vide an email has informed that the point-wise information has been sent to the complainant vide letter dated 28.05.2020 with a copy to the Commission.

The complainant is absent nor has communicated any discrepancies. The complainant is directed to point out the discrepancies if any to the PIO and the PIO is directed to remove the same.

The case is adjourned. To come up for further hearing on **19.04.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot. The complainant may attend at Chandigarh.

**Chandigarh**  
**Dated 18.01.2021**

**Sd/-**  
**Khushwant Singh**  
**State Information Commissioner**



Sh.Gian Chand Goyal  
New Market, Jaito,  
District Faridkot.

...Appellant

Versus

**Public Information Officer,**  
O/o Block Primary Education Officer,  
Jaito, District Faridkot.

First Appellate Authority,  
District Primary Education Officer,  
Faridkot.

...Respondent

**Complaint case No.3450 of 2020**

**PRESENT: Sh.Gian Chand Goyal as the Complainant**  
**Sh.Dalbir Singh, BEPO Jaito for the Respondent**

**ORDER:**

The appellant through RTI application dated 08.08.2020 has sought information regarding list of Govt Primary Schools in Sub Division Jaito – list of primary teachers – educational certificates of teachers and other information concerning the office of BPEO Jaito. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 17.09.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that the information on points 1, 2 & 3 has been provided but since the information regarding point-4 being 3<sup>rd</sup> party information as well as personal information, it is exempt u/s 2(n), 8(1)(j) and 8(1) of the RTI Act. The respondent further informed that the appellant had earlier also sought similar information (educational and experience certificates of teachers) in appeal case No.3860 of 2019 which was disposed off by Sh.Hem Inder Singh, State Information Commissioner on 08.01.2020. The respondent has also sent a copy of the order which has been received in the Commission on 24.12.2020.

Hearing both the parties, the appellant is directed to convince the Commission that the disclosure of information regarding point-4 has a larger public interest.

The case is adjourned. To come up for further hearing on **19.04.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot.

**Chandigarh**  
**Dated 18.01.2021**

**Sd/-**  
**Khushwant Singh**  
**State Information Commissioner**



Sh. Karan Singh, S/o Sh. Shyam Singh,  
# 79, High Land Society,  
Baltana, Zirakpur.

...Appellant

Versus

**Public Information Officer,**  
State Transport Commissioner,  
Sector-17, Chandigarh.

**First Appellate Authority,**  
State Transport Commissioner,  
Sector-17, Chandigarh.

.Respondent

**Appeal Case No. 1751 of 2018**

**Present:       None for the Appellant**  
**Sh.Gurpal Singh, APIO-STC and Sh.Kuljeet Katoch, Automobile Engineer for**  
**the Respondent**

**ORDER:**

This order should be read in continuation to the earlier order.

The case has earlier been heard on 29.08.2018, 17.10.2018, 22.01.2019, 24.04.2019, 12.06.2019, 06.08.2019, 29.11.2019, 04.03.2020, 05.08.2020 & 02.09.2020.

At the hearing on 29.11.2019, **the** respondent PIO-STC, Punjab brought a reply in which they stated that the appellant had inspected the record on 05.09.2019. The appellant who was absent at the hearing turned up late and informed that he is yet to receive the information that he had detailed during the inspection.

The order of the Commission was in two parts. The first part of the order was regarding the logbooks, which had been settled as the appellant had inspected the record and the department was to send the detailed information to the appellant, which the department was directed to send within 10 days.

The second part of the order to the Transport Department was to proactively publish and upload the information available under its custody regarding monthly fuel expenses, kilometers, travelled of all the ministers of Punjab, in the format in which they are maintained by the public authority, subject to the proviso of the exemptions to be applicable to the vehicles used by the security wing as notified by the Govt. under section 24 of the RTI Act. The information was to be uploaded from 1st of January 2012 onwards to the present, with a provision to upgrade it every quarterly.

The department was ordered to provide a roadmap, which it failed to provide in the last two hearings. The Commission directed the State Transport Commissioner to ensure compliance of the order before the next date of hearing.

**Appeal Case No. 1751 of 2018**

On the last date of hearing on **04.03.2020**, the respondent present informed that the complete information had been provided to the appellant and the appellant had acknowledged having received the information on 14.02.2020. The respondent submitted a copy of acknowledgement of the appellant. Regarding part-2 of the information, the respondent submitted a reply, which was taken on the file of the Commission for consideration.

The appellant was absent. The case was adjourned.

On the date of hearing on **05.08.2020**, the respondent was present. The appellant was absent. The case was adjourned.

On the date of last hearing on **02.09.2020**, the respondent PIO was present. The appellant was absent.

The hearing was done to consider the reply of the PIO of the State Transport Department citing reasons for not implementing part B of this bench's order of 12.06.2019. Part A of the order was implemented earlier, and was no longer a matter of consideration of this bench.

The part B of the order was reproduced. The latest communication dated 03.02.2020 the PIO in the office of the State Transport Commissioner, Punjab had endorsed a copy to the commission of the reply sent to the appellant. It enclosed a copy of the opinion procured by the respondent from their law officer. It was also reproduced.

Having gone through the reply of the PIO and the legal opinion of their law officer, which had been accepted by the respondent as an argument to escape the directions passed by the Commission, it was made clear to the respondent that the very denial to implement the order is a contempt of the order of the Punjab State Information Commission since the commission had clearly asked for the order to implemented and not sought reasons whether this order can be implemented or not.

Further, the commission found; "that the legal opinion is totally off the mark and does not even tangentially consider upon the spirit and provisions under which the commission has passed the directions. The order has been passed by the commission suo-moto by invoking the powers vested in Section 19/8 of the RTI Act to ensure the disclosures under section 4 of the Act to promote transparency and accountability in public life. The information by no stretch of imagination attracts exemptions as envisaged in section 8 & 9 of the Act. The law officer has needlessly dragged it into the discussion.

The vital issue is as to whether the information pertains to a public authority which has been taken out of the ambit of Act under section 24 or not? The fact is that the repository of information is the office of the State Transport Commissioner, which is not a security or an intelligence agency and cannot escape the obligations set forth in the RTI Act. The said information clearly does not pertain to the record prepared, maintained and held by the Intelligence wing, Armed Police, Commando & IRB, Security Wing etc. under the Department of Home Affairs and Justice but that which is held by the Punjab Transport Department."

The logical corollary is that the legal opinion taken by the department is of no avail and was rejected accordingly.”

The respondent was directed to ensure the compliance of the directions passed earlier, else face the penal consequences.

Principal Secretary, Transport Department, Punjab and State Transport Commissioner were hereby directed to ensure the compliance of this order.

On the date of hearing on **18.11.2020**, the respondent sought adjournment. The appellant was absent. The case was adjourned.

On the date of last hearing on **05.01.2021**, Sh.Gurpal Singh, APIO-STC was present. The case was adjourned.

**Hearing dated 18.01.2021:**

**Sh.Gurpal Singh, APIO** and Sh.Kuljeet Singh Katoch, Automobile Engineer are present.

The case is adjourned.

To come up for compliance on **26.04.2021 at 11.00 AM.**

**Chandigarh**  
**Dated:18.01.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

CC to:Principal Secretary,  
Deptt.of Transport, Pb  
Chandigarh.