PUNJAB, STATE INFORMATION COMMISSION

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Shri Amandeep Singh,

J-538/64, BRS Nagar, Ludhiana- 141012. …Appellant

Versus

Public Information Officer

O/O Secretary,

Regional Transport Authority, Ludhiana.

First Appellate Authority,

O/O State Transport Commissioner, Punjab,

SCO No. 177-78, Sector 17C, Chandigarh. … Respondents

**Appeal Case No. 2520 of 2017**

Present: Shri Amandeep Singh, appellant in person.

Shri Baljinder Singh, Steno on behalf of respondents.

**ORDER:**

Heard.

2. Today, both the parties are present. The appellant says that as per orders passed by the court on 08-03-2018, he went to the office of respondent-PIO on 17-04-2018 for the inspection of record. But the respondents were not there to provide him the necessary record for inspection.

3. The court takes a serious view of this lapse on the part of respondent-PIO. The respondent-PIO is directed to furnish reasons for not being present on the appointed date and to make available the necessary record for inspection to the appellant. The respondents are directed to bring the sought information with them on the next date of hearing for providing the same to the appellant in the court. Adjourned.

4. To come up for further hearing on **07-06-2018 at 11.00 AM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 19-04-2018. State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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**Website :-** www.infocommpunjab.com)

Shri Vinod Kumar S/o Sh. Ami Chand,

R/o House No. 563-P, Sector-2,

Urban Estate Kurukshetra,

District Kurukshetra. …Appellant Versus

Public Information Officer

O/O Regional Transport Authority,

Ferozepur.

First Appellate Authority,

O/O Punjab State Transport Commissioner,

Sector-17, Chandigarh. ….. Respondents

**APPEAL CASE NO. 3299 of 2017**

Present: None on behalf of appellant.

Shri Gurpreet Singh, Data Entry Operator, on behalf of respondents.

**ORDER:**

This case was last heard on 06-03-2018 and was adjourned for today.

2. The representative of respondents says that he has brought the information with him to be supplied to the appellant in the court. But the appellant is absent without any intimation to the court.

3. The respondents are directed to send the information to the appellant by registered post before the next date of hearing. The case is adjourned for further hearing on **07-06-2018 at 11.00 AM.**

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated:19-04-2018. State Information Commissioner

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**Website :-** www.infocommpunjab.com)

Shri Vicky Bajaj, (96531-00631),

S/o Sh. K.L. Bajaj,

R/o 51, Vikas Vihar, Phase-1,

Ferozepur. …Appellant Versus

Public Information Officer

O/O Regional Transport Authority,

Ferozepur.

First Appellate Authority,

O/O Punjab, State Transport Commissioner,

Sector-17, Chandigarh. ….. Respondents

**APPEAL CASE NO. 3413 of 2017**

Present: Shri Vicky Bajaj, appellant, in person.

Shri Gurpreet Singh, Data Entry Operator, on behalf of the respondents.

**ORDER:**

This case was last heard on 06-03-2018 and was adjourned for today.

2. Today, both the parties are present. The representative of respondents submits the information in the court which is handed over to the appellant. After going through the provided information, the appellant points out deficiencies in the information.

3. The RTI application is discussed point-wise and after discussion, the respondents are directed to supply the information relating to point No. 4 only before the next date of hearing. Adjourned.

4. To come up for further hearing on 07-06-2018 at 11.00 AM.

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 19-04-2018. State Information Commissioner

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**Website :-** www.infocommpunjab.com)

Shri Vinod Kumar S/o Sh. Ami Chand,

R/o House No. 563-P, Sector-2,

Urban Estate Kurukshetra,

District Kurukshetra. …Appellant Versus

Public Information Officer

O/O Secretary, Regional Transport Authority,

Faridkot.

First Appellate Authority,

O/O Punjab State Transport Commissioner,

Sector-17, Chandigarh. ….. Respondents

**APPEAL CASE NO. 3298 of 2017**

Present: None on behalf of appellant.

Shri Neeraj Kumar, on behalf of the respondents.

**ORDER:**

The case was last heard on 06-03-2018 and was adjourned for today.

2. The representative of respondents says that the information has already been supplied to the appellant by registered post on 23-03-2018.

3. As the appellant is not present in the court, he is directed to be present on the next date of hearing. Adjourned.

4. To come up on **07-06- 2018 at 11.00 AM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 19-04-2018. State Information Commissioner

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**Website :-** www.infocommpunjab.com)

Shri Vicky Bajaj s/o Sh. K.L.Bajaj,

H.No.51, Vikas Vihar, Phase-1,

Ferozepur. …Appellant Versus

Public Information Officer

O/O Secretary, RTA, Faridkot

Public Information Officer,

Sub Divisional Magistrate-cum-

Licensing and Registering Authority,

Moga.

First Appellate Authority,

O/O Additional State Transport Commissioner,

Punjab, SCO No. 177-78, Sector 17-B, Chandigarh. …Respondents

**Appeal Case No. 1850 of 2017**

Present: Shri Vicky Bajaj, appellant, in person.

Shri Neeraj Kumar, on behalf of respondents.

**ORDER:**

This case was last heard on 06-03-2018 and was adjourned for today.

2. The representative of respondents states that the information has already been supplied by registered post on 06-04-2018. The appellant says that no information has been supplied till date.

3. The respondents are directed to supply the complete and correct information to the appellant before the next date of hearing and the case is adjourned for further hearing on **07-06-2018 at 11:00 AM.**

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated: 19-04-2018. State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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**Website :-** www.infocommpunjab.com)

Shri Vicky Bajaj s/o Sh. K.L.Bajaj,

H.No.51, Vikas Vihar, Phase-1,

Ferozepur. …Appellant Versus

Public Information Officer

O/O DTO-cum- Regional Transport Authority,

Ferozepur.

First Appellate Authority,

O/O Additional State Transport Commissioner,

Punjab, SCO No. 177-78, Sector 17-B,

Chandigarh. …Respondents **Appeal Case No. 1851 of 2017**

Present: Shri Vicky Bajaj, appellant, in person.

Shri Gurpreet Singh, Data Entry Operator, on behalf of the respondents.

**ORDER:**

This case was last heard on 06-03-2018 and was adjourned for today.

2. Today, both the parties are present. The representative of respondents says that the sought information has been supplied on 18-09-2017. The appellant says that he has not received any information till date. He requests the court to direct the respondents to produce any documentary evidence to prove that they have supplied the information. However, the representative of respondents does not provide any proof of having supplied the information to the appellant.

3. The background of this case is that the appellant, Shri Vicky Bajaj, submitted a RTI application with the respondent-PIO on 15-09-2016. Having got no response from the PIO, the appellant went for a first appeal with the first appellate authority on 04-03-2017. Getting no information from the first appellate authority also, the appellant filed a second appeal with the Commission on 10-07-2017. Accordingly, a notice of hearing was issued to the parties.

4. On the very first hearing on 17-08-2017, the respondent was absent. However, an e-mail message was received in the Commission office from the PIO seeking adjournment. On 19-09-2017 and 11-01-2018, none was present on behalf of respondents, neither they had provided the sought for information to the appellant. However, an e-mail message dated 25-10-2017 was received in the Commission office from the respondent-PIO stating therein that the information had been supplied to the appellant on 18-09-2017 by post. However, the appellant had refuted the claim of PIO that he has supplied the information.

5. As the respondents were absent for the third time consecutively, on 11-01-2018, a show cause notice under Section 20(1) of the RTI Act, 2005, was issued to the then PIO, Shri Baldev Randhawa on 11-01-2018. He was directed to be present in the court along with the written explanation

contd…p/2

**Appeal Case No. 1851 of 2017** -2-

stating clearly the reasons for not providing the sought information within the stipulated time of 30 days. If the contention of the respondent-PIO is taken as true that he had provided the information on 18-09-2017, it comes out that he took almost one year to provide the information, the fact which the representative of respondents could not prove.

6. On the fixed date of hearing on 11-01-2018, the respondent-PIO, Shri Baldev Randhawa did not appear in the court. On 06-03-2018, Shri Baldev Randhawa, PIO was afforded last opportunity to be present in the court on 06-03-2018, but he did not attend the court. Instead, he deputed Mr. Ramesh Kumar, a Clerk of his office on his behalf. On the next date of hearing i.e. today on 19-04-2018, the respondent-PIO is again absent. Instead of being present in person and submitting his explanation for the delay in providing the information, he has again deputed a Data Entry Operator official to appear on his behalf without giving him any authority letter.

7. A letter dated 27-03-2018 from Shri Baldev Randhawa, is received in the Commission office in which he has written that he has been transferred from Ferozepur to Gurdaspur and he has joined at Gurdaspur on 27-02-2018 as Secretary, RTA, Gurdaspur. Though it is true that the respondent-PIO has relinquished the charge of Secretary, RTA, Ferozepur in February, 2018, but the appellant sought information on 15-09-2016 when Shri Randhawa was posted there. Further, during his tenure as such, the information was to be provided to the appellant. Therefore, Shri Randhawa is responsible for the delay caused in providing the information within stipulated time frame.

8. In view of the above facts and circumstances, the court comes to a logical conclusion that it is a fit case for the imposition of penalty amounting to Rs. 15,000/- (Rupees Fifteen thousand only ) on the then PIO, Shri Baldev Randhawa, now Secretary, RTA, Gurdaspur. The Drawing and Disbursing Officer of office of Secretary, Regional Transport Authority, Gurdaspur is directed to deduct the amount of penalty of Rs. 15,000/- from the pay of May, 2018 to be paid to Shri Baldev Randhawa in the State Treasury in the following Head of Account and to report its compliance to the Commission :-

**"0070- Other Administrative Services**

**60- Other Services**

**800- Other Receipts**

**86- Fee under the RTI Act, 2005. "**

9. The appellant submits that he submitted his RTI application on 15-09-2016 and a period of 18 months has lapsed but complete information has not been provided as yet. He requests that he may be compensated suitably for the loss and detriment suffered by him during this long period. In view of the loss and detriment suffered by the appellant during this long period of 18 months, I find full justification in awarding him a suitable compensation. Therefore, in exercise of the powers conferred by Section 19(8)(b) of the RTI Act, 2005, a compensation of Rs. 5,000/- ( Rupees Five thousand only ) is awarded to

Contd…p/3

**Appeal Case No. 1851 of 2017** -3-

Shri Vicky Bajaj, appellant, to be paid by the Public Authority i.e. Secretary, RTA, Ferozepur through a

Bank Draft, within 30 days and a confirmation to this effect will be furnished to the Commission before the next date of hearing.

10. The case is adjourned and fixed for further hearing on **07-06-2018 at 11.00 AM.**

11. Copies of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated: 19-04-2018. State Information Commissioner

**CC-** (i) Mr. Baldev Randhawa, Regional Transport Authority-cum-PIO,

o/o Regional Transport Authority, Gurdaspur, for compliance of orders.

(ii) State Transport Commissioner, Punjab,

SCO No. 177-78, Sector 17B, Chandigarh.

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Dr. Anil Pannikker (92552-25642),

House No. 188, Lajpat Nagar,

Hisar-125001. ….Appellant

Versus

Public Information Officer,

O/O Deputy Director, Animal Husbandry,

Sangrur.

First Appellate Authority,

O/O Director Animal Husbandry,

Punjab Livestock Complex, Sector-68,

S.A.S. Nagar. (Mohali). …Respondents.

**APPEAL CASE NO. 2865 of 2017**

Present: Shri Surendra M Bhanot, on behalf of the appellant.

Dr. Jagdev Singh, Assistant Director, Sangrur, Dr. Shavinder Pal, Pathologist, Sangrur on behalf of respondents.

**ORDER:**

Last heard on 08-03-2018.

2. Today, both the parties are present. The respondents reiterate their earlier stand that the sought information is third party information which cannot be supplied to the appellant. Moreover, they see no larger public interest in seeking the personal information of an official.

3. The representative of appellant submits a letter dated 19-04-2018, which is taken on record and is placed in the case file. The authorized representative of the appellant has quoted a reference from the judgment dated 04-03-2013 delivered by the Hon'ble High Court of Punjab and Haryana in CWP No. 4239 of 2013 (O&M)- Vijay Dheer Versus State Information Commission. "…A part of information/ documents sought by the complainant, relates to the mode of appointment/ promotion of a person on a public post, therefore, information/ documents to that extend fall under the domain of larger public interest. The documents on the basis of which a person has sought an appointment in a public office becomes the documents of larger public interest."

4. On the other hand, the respondents have cited reference of a judgment relating to "third party" and consider his views on why there should be no disclosure" is well explained

Contd…p/2

**Appeal Case No. 2865 of 2017** -2-

in judgment by the Hon'ble Supreme Court of India in Girish Ramachandra Deshpande Vs

Central Information Commission & others : 2012 (4) CCC 739 (SC) and Canara Bank Rep. by its Deputy General Manager Vs. C.S.Shyam : 2017(4) RCR(Civil) 292(SC).

5. After hearing both the parties, the RTI application is discussed point-wise. After discussion, the respondents are directed to provide the information as discussed in the court. Adjourned.

6. To come up for further hearing on **12-06-2018 at 12.30 PM.**

7. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 19-04-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Sh. Baldev Singh (98145-36574),

s/o Sh. Gurcharan Singh,

VPO- Pandori Gola,

Tehsil & Distt. Tarn Taran. …..Complainant

Versus

Public Information Officer,

O/O General Manager,

Punjab Roadways, Patti,

District Tarn Taran. …. Respondent.

**COMPLAINT CASE NO. 1106 of 2017**

Present: Sh. Baldev Singh, complainant, in person.

Shri Bhupinder Singh, Clerk, on behalf of the respondent.

**ORDER:**

Last heard on 08-03-2018.

2. Today, both the parties are present. The representative of respondent submits information in the court which is handed over to the complainant.

3. After going through the provided information, the complainant expresses his satisfaction and requests the court to close the case.

4. As the sought information stands supplied, the case is **closed and disposed.**

5. Copies of order be sent to the parties.

Sd/-

**Place: Chandigarh, (Hem Inder Singh)**

**Dated 19-04-2018.**  State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Sh. Surinder Kumar Gupta,.

Pardhan RTI, Rampura Phul,

Social Worker,

House No. 202, Gali No. 12,

Sahid Bhagat Singh Colony,

Rampura Phull, Distt. Bathinda-151103. ….Appellant

Versus

Public Information Officer,

O/O Chairman, Punjab State Gau Sewa Commission,

Sector-68, Mohali. .

First Appellate Authority,

O/O Chairman, Punjab State Gau Sewa Commission,

Sector-68, Mohali. …Respondents.

**APPEAL CASE NO. 2993 of 2017**

Present: Shri Surinder Kumar Gupta appellant, in person.

Shri Jaswinder Singh, APIO, on behalf of respondents.

**ORDER:**

Heard.

2. Today both the parties are present. The respondent-APIO says that the information has already been supplied to the appellant and a copy thereof has also been provided to the Commission for its record.

3. The appellant says that the provided information is incorrect and incomplete. The respondent-APIO says that there is no more information available on the record and the available information has already been supplied to the appellant.

4. After discussion, the respondents are directed to furnish a duly attested affidavit from the respondent-PIO stating therein that the information, as available on the record, has been supplied and no other information is there on the record of public authority. Adjourned.

5. To come up for further hearing on **12-06-2018 at 12.30 PM.**

6. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated: 19-04-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Dr. Manish Aggarwal (President) (94653-90678),

Mohalla Sewa Samiti (Regd.) Shop No.1,

Street No.4, Arman Nagar, P.O. Dakoha-144023,

Jalandhar. …Appellant Versus

Public Information Officer

O/O Executive Engineer (B&R),

Dr. B.R. Ambedkar Complex,

Municipal Corporation, Jalandhar.

First Appellate Authority,   
O/O Additional Commissioner,

Dr. B.R. Ambedkar Complex,

Municipal Corporation, Jalandhar. ….. Respondents

**APPEAL CASE NO. 163 of 2018**

Present: None on behalf of appellant.

Shri Sandeep Singh, J.E. on behalf of respondents.

**ORDER:**

Heard.

2. The representative of respondents says that the complete information has been supplied to the appellant.

3. The appellant is absent. However, an e-mail is received from him in which he has expressed his inability to be present in the court. The appellant is contacted on phone. He says that he has received the information and further says that the case may be closed.

4. Accordingly, the case is ordered to be **closed and disposed.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 19-04-2018. State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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**Website :-** www.infocommpunjab.com)

Shri Kuldip Raj Kaila,

House No. 196/10, Kainthan, Dasuya,

Distt. Hoshiarpur. …Appellant

Versus

Public Information Officer

O/O Judicial Magistrate-cum-Civil Judge,

Nakodar, Distt. Jalandhar.

First Appellate Authority,

O/O Additional Civil Judge (Sr. Division),

Nakodar, Distt. Jalandhar. … Respondents

**Appeal Case No. 2146 of 2017**

Present: None on behalf of both the parties.

**ORDER:**

This case was last heard on 06-03-2018 and was adjourned for today.

2. Today also, none is present on behalf of both the parties. Both the parties are absent for the fourth time consecutively. They are given last and final opportunity to be present in the court on the next date of hearing. In case of non appearance, the case will be decided on merit for want of follow up. Adjourned.

3. To come up on **12-06-2018 at 12.30 PM.**

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated: 19-04-2018 State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Shri Yogesh Mahajan (98143-54649)

S/o Sh. Kuldip Raj Mahajan,

President of Anit Corruption,

Council, Opp. Water Tank,

Municipal Market Mission Road, Pathankot. …Appellant

Versus

Public Information Officer

O/O SDO, Provincial Sub Division,

PWD B&R, Sirhind.

First Appellate Authority,

O/O Superintending Engineer,

Construction PWD B&R, Circle No.2,

Patiala. ….. Respondents

**APPEAL CASE NO. 63 of 2018**

Present: None on behalf of appellant.

Shri Manjeet Singh, Junior Engineer, on behalf of respondents.

**ORDER:**

Heard.

2. The representatives of respondents state that the information has been supplied to the appellant. The appellant is absent. However, an e-mail dated 18-04-2018 is received in the Commission office from the appellant. He has stated that he has received the information and has sought exemption from personal appearance.

3. As the information stands supplied, the case is ordered to be **closed and disposed.**

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated: 19-04-2018. State Information Commissioner

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Shri Yogesh Mahajan (98143-54649)

S/o Sh. Kuldip Raj Mahajan,

President of Anit Corruption,

Council, Opp. Water Tank,

Municipal Market Mission Road, Pathankot. …Appellant

Versus

Public Information Officer

O/O Sub Divisional Officer,

Construction Sub Divisional No.3,

PWD B&R, Mohali.

First Appellate Authority,

O/O Superintending Engineer,

Construction PWD B&R, Circle No.2, Patiala. ….. Respondents

**APPEAL CASE NO. 73 of 2018**

Present: None on behalf of appellant.

Shri Manjeet Singh, Junior Engineer, on behalf of respondents.

**ORDER:**

Heard.

2. The representatives of respondents state that the information has been supplied to the appellant. The appellant is absent. However, an e-mail dated 18-04-2018 is received in the Commission office from the appellant. He has stated that he has received the information and has sought exemption from personal appearance.

3. As the information stands supplied, the case is ordered to be **closed and disposed.**

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated: 19-04-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Shri Yogesh Mahajan (98143-54649)

S/o Sh. Kuldip Raj Mahajan,

President of Anit Corruption,

Council, Opp. Water Tank,

Municipal Market Mission Road, Pathankot. …Appellant

Versus

Public Information Officer

O/O XEN, Construction Division No.2,

PWD B&R, Bathinda.

First Appellate Authority,

O/O SE, Construction Circle PWD

B&R, Bathinda. ….. Respondents

**APPEAL CASE NO. 60 of 2018**

Present: None on behalf of appellant.

Shri Bhupinder Singh, SDO and Shri Kewal Krishan, Assistant, on behalf of respondents.

**ORDER:**

Heard.

2. The representatives of respondents state that the information has been supplied to the appellant. The appellant is absent. However, an e-mail dated 18-04-2018 is received in the Commission office from the appellant. He has stated that he has received the information and has sought exemption from personal appearance.

3. As the information stands supplied, the case is ordered to be **closed and disposed.**

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated: 19-04-2018. State Information Commissioner