

PUNJAB STATE INFORMATION COMMISSION

**Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.**

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Manjeet Singh,
S/o Gurjant Singh,
Mallan Colony,
Ward No.2, Street No.1,
Gidderbaha,
District Sri Mukatsar Sahib-152101.

Versus

Public Information Officer,
O/o Punjab Home Guards & Civil Defence Department,
Chandigarh.

First Appellate Authority,
O/o Punjab Home Guards & Civil Defence Department,
Chandigarh.

Appeal Case No. 2497 of 2019

PRESENT

Manjeet Singh (Appellant) 80547-44303..

Hargopal Sadana, junior staff officer-cum-PIO (Respondent) 80546-00556.

ORDER:

1. The RTI application is dated 3.4.19 vide which the appellant has sought information pertaining to SC (Balmiki and Mazabi Sikh) in the Clerks Exam on 13.11.1016, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on 22.5.2019 and the second appeal was filed in the Commission on 10.7.19. under Section 19 of the Right to Information Act, 2005 (RTI Act).
2. Notice was issued to the parties for the first hearing in the commission on 20.9.19.
3. The respondent PIO Hargopal Sadana, present himself, submitted that all the requested information has been given to the appellant in the past. He submitted and additional copy of the said information to this Commission.
4. The Appellant Manjeet Singh admitted that he has received information i.e. merit list of the clerks exams conducted on 13.11.16. He has, however, objected to the fact that the Department has not given separate list of SC (MS and B) and general candidates.
5. The respondent PIO has contends that there is no such record available and the general SC (MS and B) is discernible from the information already furnished to the

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appellant. Having perused the list supplied, this Commission concurs with the respondent PIO's contention. Moreover, the appellant, Manjeet Singh now, also acknowledges that his request for information has been adequately addressed,

6. There is no further cause for action and this appeal case is herewith **CLOSED**.

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

20.09.2019

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Satnam Singh,
7, G.K. Vihar Manakwal,
Ludhiana.

Versus

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

First Appellate Authority,
O/o. State Transport Commissioner, Punjab,
Chandigarh.

Appeal Case No. 2417 of 2019

PRESENT

Satnam Singh (Appellant) is ABSENT -95015-13137.

Respondent is ABSENT

ORDER:

1. The RTI application is dated 20.2.19 vide which the appellant has sought information regarding driving tests for two and four wheelers between 26.7.18 and 9.11.18, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on 24.4.19 and the second appeal was filed in the Commission on 12.7.19 under Section 19 of the Right to Information Act, 2005 (RTI Act).
2. Notice was issued to the parties for the first hearing in the Commission on 20.9.19.
3. While the appellant has e-mailed (on 19.9.19) his inability to attend this hearing as he is out of country, the respondent PIO is absent without any intimation to this Commission. This, notably, is despite this Commission's notice of 28.8.19 and written instructions from the FAA.
4. This Commission grants the appellant and the respondent PIO one more opportunity to present their case, failing which this appeal case is liable to be closed.
6. **Next hearing on 30.10.19 at 11.00 A.M.**

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

20.09.2019

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Satnam Singh,
7, G.K. Vihar, Manakwal,
Ludhiana.

Versus

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

First Appellate Authority,
O/o. State Transport Commissioner, Punjab,
Chandigarh.

Appeal Case No. 2418 of 2019

PRESENT:

Satnam Singh (Appellant) is ABSENT - 95015-13137.

Respondent is ABSENT

ORDER

1. The RTI application is dated 26.2.19 vide which the appellant has sought information regarding a driving license issued to a particular individual, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on 24.4.19 and the second appeal was filed in the Commission on 12.7.19 under Section 19 of the Right to Information Act, 2005 (RTI Act).
2. Notice was issued to the parties for the first hearing in the Commission on 20.9.19.
3. While the appellant has e-mailed (on 19.9.19) his inability to attend this hearing as he is out of country, the respondent PIO is absent without any intimation to this Commission. This, notably, is despite this Commission's notice of 28.8.19 and written instructions from the FAA.
4. This Commission grants the appellant and the respondent PIO one more opportunity to present their case, failing which this appeal case is liable to be closed.
5. **Next hearing on 30.10.19 at 11.00 A.M.**

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

20.09.2019

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Gian Singh

S/o Mohan Singh,
06852, Street No.11/3,
Power House Road,
Bathinda.

Versus

Public Information Officer,

O/o Director, State Transport Punjab,
Chandigarh.

First Appellate Authority,

O/o Director, State Transport Punjab,
Chandigarh.

Appeal Case No. 2471 of 2019

PRESENT:

Gian Singh, (Appellant).-Mob.9855221952..
Balbir Singh (Respondent)-Mob.9478087515.

ORDER:

1. The RTI application is dated 19.3.19 vide which the appellant has sought information regarding the action taken on GM Punjab Roadways Muktsar's Letter No. 3231/ECM dated 13.6.2017, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on 24.4.19 following which a reminder was sent to the FAA on 27.5.19. Failing to get any response, the appellant filed the second appeal in the Commission on 9.7.19 under Section 19 of the Right to Information Act, 2005 (RTI Act).
2. Notice was issued to the parties for the first hearing in the Commission on 20.9.19.
3. This RTI application has been pending since 19.3.19 and the respondent PIO, represented by Balbir Singh, Senior Assistant, has not been able to submit any satisfactory reply either by way of furnishing the requested information, or explaining reasons for the long delay.
4. The respondent PIO **Sukhwinder Singh**, Superintendent, (mobile number 94632-89676, supplied by Balbir Singh) is directed to submit a written response of the status of the information requested by the appellant as well as enumerating his reasons for this delay.
5. The respondent PIO must either appear in person or depute subordinate having adequate knowledge of the case, at the **next hearing on 30.10.19 at 11.00 A.M.**

(ASIT JOLLY)

State Information Commissioner
Chandigarh.
20.09.2019

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Major Singh,
D-301,
Ganpati Enclave,
Bathinda.

Versus

Public Information Officer,
O/o Principal Secretary,
Department of Technical Education & Industrial Training, Punjab,
Chandigarh.

First Appellate Authority,
O/o. Principal Secretary,
Department of Technical Education & Industrial Training, Punjab,
Chandigarh.

Appeal Case No. 2496 of 2019

PRESENT:

Major Singh (Appellant) is ABSENT
Balwinder Kaur, APIO (for the Respondent)94639-39316.

ORDER:

1. The RTI application is dated 26.3.19 vide which the appellant has sought information regarding affiliated college and their faculty, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on 22.5.19 and second appeal was filed in the Commission on 10.7.19. under Section 19 of the Right to Information Act, 2005 (RTI Act).
2. Notice was issued to the parties for the first hearing in the Commission on 20.9.19.
3. The respondent PIO, O/o. Principal Secretary Department of Technical Education & Industrial Training Punjab, submitted that the appellant's RTI application was transferred to the Punjab Technical University (PTU) at Kapurthala on 7.5.19. following this, the PIO at PTU wrote to the appellant asking him to deposit photocopying charges, at Rs. 2.00 per page, for 129 pages.
4. The appellant is absent in this hearing as the Commission's notice was returned from the address he had given on his second appeal.
5. Nonetheless, since the appellant's request for information wasn't addressed within the stipulated period of 30 days, this Commission directs the PIO at PTU to carefully peruse the original RTI application once more and furnish the requested information to the appellant at the earliest instance. Failing this, the PIO at PTU must explain in writing, specific reasons for declining the requested information or portions thereof.

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6. **Next hearing on 30.10.19 at 11.00 A.M.**

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

20.09.2019

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Pargat Masih,
c/o Ankit Kapoor,
Pratap Colony,
Model Gram,
Ludhiana-141002.

Versus

Public Information Officer,
O/o Superintendent , Government Institution for Blinds,
Jamalpur, Ludhiana

First Appellate Authority,
O/o Director, Social Security Department, Punjab,
Chandigarh.

Appeal Case No. 218 of 2019

PRESENT:

Pargat Masih (Appellant)94788-19563.

Balveer Singh, clerk (for the Respondent)94640-90624.

ORDER:

1. The RTI application is dated 7.9.18 vide which the appellant has sought information regarding students enrolled at the school for the blind at Jamalpur, Ludhiana, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and the second appeal was filed in the Commission on 3.1.19 under Section 19 of the Right to Information Act, 2005 (RTI Act).
2. Notice was issued to the parties for the first hearing in the Commission on 20.9.19.
3. This Commission concurs with the previous orders of State Information Commissioner (SIC), Mrs. Preety Chawla on 12.6.19 that a significant portion of the information requested by the appellant in his RTI application dated 7.9.18 constitutes personal information pertaining to third parties and hence cannot be disclosed. But at point No.6 of her order, the SIC has very clearly directed the respondent PIO to supply the appellant a list of candidates (students) enrolled in the concerned school at the time of the filing of the RTI application. This Commission is of the considered view that such a list, with number and names of students in each class, is neither 'personal' nor 'third party' information.
The respondent PIO is directed to forthwith comply with the directions given at Point No. 6 of SIC Mrs Preety Chawla's order of 12.6.19, and supply the list of candidates (students) to the appellant.

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5. The respondent PIO is also directed to inform the appellant in writing details of the specific website (websites) where other details regarding the institution in question can be publicly accessed.
6. This Commission also notes that SIC Mrs. Preety Chawla's 12.6.19 order refers to the fact that the public authority in this instance, school for the blind at Jamalpur, Ludhiana, is yet to comply with Section 4 of the RTI Act, 2005. This Commission advises the respondent PIO to ensure such compliance in keeping with the financial and other resources available within the school. This must be done within a reasonable timeframe – like three months from the date of receiving this order.
7. Next hearing on **30.10.19 at 11.00 A.M.** for **COMPLIANCE**.

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

20.09.2019

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Sat Pal Sharma,
3623, Street No.1,
Haibowal Kalan,
Ludhiana.

Versus

Public Information Officer,
O/o Commissioner,
Municipal Corporation,
Zone-D, Ludhiana.

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

Appeal Case No. 2500 of 2019

PRESENT:

Sat Pal Sharma (Appellant) is ABSENT – 94632-92433.

Harjeet Singh, draftsman (for the Respondent) 98141-66090.

ORDER:

1. The RTI application is dated 7.9.18 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and the second appeal was filed in the Commission on 9.7.19 under Section 19 of the Right to Information Act, 2005 (RTI Act).
2. Notice was issued to the parties for the first hearing in the Commission on 20.9.19.
3. The appellant has sent an email stating his inability to attend this hearing. The respondent PIO, represented by Harjeet Singh, Draftsman, has submitted a written reply stating that the requested information was supplied to the appellant and received by his wife Kamini Sharma on 4.9.19.
4. The appellant, in his email, however says that the information is incomplete. The appellant is requested to point out the missing portions of the information in writing, so that the respondent PIO can reply.

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5. This Commission suggests that the respondent PIO and appellant set mutually a convenient date before the next hearing on 30.10.19 when the appellant can make a personal inspection of the record and take any 'missing' information he can find to a maximum of 50 photocopies free of cost.
6. **Next hearing on 30.10.19 at 11.00 A.M.**

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

20.09.2019

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Buta Ram,
S/o Piyara Ram,
Village Bharomajra,
PO Dosanjh Khurd,
Tehsil Banga,
District SBS Nagar.

Versus

Public Information Officer,
O/o Principal,
St. Soldier Management & Technical Institute,
Jalandhar.

Complaint Case No.613 of 2019

PRESENT:

Buta Ram (Appellant)90413-48019.

Ramneet Singh, professor (for the Respondent)94639-32595.

ORDER:

1. The complainant, Buta Ram, filed this RTI application dated 22.3.19 seeking information regarding scholarships to SC students, with specific reference to his own daughter's case, from the PIO o/o the Principal, St. Soldier Management and Technical Institute, Jalandhar. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on 12.7.19.
2. Notice was issued to the parties for the first hearing in this Commission on 20.9.19.
3. The respondent, in this instance, the office of the Principal St.Soldier Management and Technical Institute, Jalandhar is not a Public Authority. Despite this, a senior faculty member, Prof Ramneet Singh, was deputed to attend this hearing.
4. It is evidently clear that the original RTI application was erroneously submitted to the college, which is privately run and neither partially or substantially funded by the state or central governments, and so does not fall within the definition of a public authority as defined in the RTI Act, 2005.
5. The complainant is advised to file a fresh request (under the RTI Act) for the information he seeks, to the appropriate public authority, in this instance, the Social Welfare Department, Punjab, or the Punjab Technical University at Kapurthala, which are the disbursing agencies for PMS (Post Matric Scholarships) for SC students in the state.

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6. There is no further cause for action and this complaint case is herewith **CLOSED**.

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

20.09.2019

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Ashok Kumar,
1527, Street No.5,
New Chander Nagar,
Opposite Yuvraj Nursing Home,
Ludhiana-141001.

Versus

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

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

Appeal Case No. 2470 of 2019

PRESENT:

Ashok Kumar (Appellant)75085-02809

Akshay Bansal, Junior Engineer (for the Respondent)90411-63066

ORDER:

1. The RTI application is dated 29.1.19 vide which the appellant has sought information by way of a map of a Ludhiana locality, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority(FAA) on 8.3.19 and the second appeal was filed in the Commission on 9.7.19 under Section 19 of the Right to Information Act, 2005 (RTI Act).
2. Notice was issued to the parties for the first hearing in the Commission on 20.9.19.
3. The respondent PIO, represented by Akshay Kumar, JE, made an oral submission that he has nothing to do with the matter this appeal case pertains to. In such case, this Commission wonders why the PIO, Municipal Corporation Ludhiana deemed it fit to depute such an officer to attend this hearing.
4. Notably, this RTI application was filed as far back as on 29.1.19 and 8 months later after an interim order from the FAA, the appellant has still not got the information he seeks. As per the appellant, who appears to be a public spirited person and acting in public interest, the map provided to him is vague and does not include the actual situation on the ground i.e illegal encroachments in Kapil Park, Hambran Road, Ludhiana, that he is seeking to expose.

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5. This Commission takes a very serious view of the fact that the respondent PIO appears to have been causing avoidable harassment to the appellant.
6. The respondent PIO is directed to furnish the requested information in the form requested by the appellant within 10 days of receiving this order, failing which penal action could be initiated under RTI Act, 2005.
7. The respondent PIO is also directed to be present in person at the **next hearing on 30.10.19 at 11.00 A.M.**

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

20.09.2019