

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.
Ph: 0172-2864111,

Visit us @ www.infocommpunjab.com, Email: psic21@punjabmail.gov.in



Bharat Bhushan Mattu,
153, Akash Nagar, Near Green Land School,
PO Netaji Nagar, Salem Tabri,
Ludhiana – 141 008

Versus

Public Information Officer,
o/o District Election Officer-cum-Deputy Commissioner,
Ludhiana.
First Appellate Authority,
o/o Chief Electoral Officer, Punjab,
Chandigarh.

Appeal Case No. 2747 of 2019

PRESENT:

(Appellant) Absent

Inderjit Kaur, APIO-Cum-Superintendent (for the Respondent) 97819-21-95

Umed Singh, Junior Assistant (for the Respondent)

Randhir Singh, Clerk (for the Respondent) 98555-65416

ORDER:

*(To be read in continuity with earlier orders on **30.8.19** and **4.10.19**)*

1. The RTI application is dated **25.4.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **29.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.10.19**.

2. The appellant is absent but has intimated the Commission of his inability to attend this hearing. The respondent PIO represented by Inderjit Kaur, APIO-Cum-Superintendent, is present and has stated that the information was sent to the appellant on 1.10.19. However, on 10.10.19, the appellant wrote to the Commission that he is not satisfied with the information furnished which contains nothing with regard to point No. 2, 3 (a) & (b), and point No. 4 of his RTI application has only been partially given. The appellant again wrote to the Commission on 16.11.19 that the information provided is incomplete.

3. The appellant is directed to point out the specific deficiencies in the information furnished to him by writing to the respondent PIO with a copy to this Commission.

4. The Commission also notes that some of the information sought in this RTI application, for instance, the list of employees who applied for exemption from election duty on health grounds, contains 'personal' and 'third party' information pertaining to the medical condition of those employees. The respondent PIO is directed to sever (blank out) all such 'personal' or 'third party' information while furnishing the list of applicants or any other documents sought by the appellant.

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5. Next hearing on 24.1.20 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19

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Sarabjit Singh Shergil,
CDPO Bhikhi,
10, Fateh Enclave, Patiala.

Versus

Public Information Officer,
o/o Director,
Social Security Women & Child Development, Punjab,
Chandigarh.
First Appellate Authority,
o/o Director,
Social Security Women & Child Development, Punjab,
Chandigarh.

Appeal Case No. 2786 of 2019

PRESENT:

Mukesh Arora, Advocate (for the Appellant) 88474-73227
Nirmal Kumari, Senior Assistant (for the Respondent) 95306-61345

ORDER:

(To be read in continuity with earlier orders on 5.9.19 and 11.10.19)

1. The RTI application is dated **10.9.18** vide which the appellant has sought **information pertaining to his own leave record as reflected in his service book and ACRs from 1994-95 to 2017-18 etc.,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **3.1.19** and second appeal was filed in the Commission on **31.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.10.19**.
2. Both Parties are present. The appellant is represented by his lawyer, Mukesh Arora. The respondent PIO, represented by Nirmal Kumari, Senior Assistant, has handed-over 74 pages pertaining to the information requested by the appellant. As per a letter from the PIO to the appellant on 18.11.19, another 12 pages of information pertaining to the supersession of the opponent were sent to him by registered post.
3. The appellant has requested one more hearing because he is still to receive the 12 pages sent by the PIO. He is requested to intimate this Commission via email as soon as he receives the aforesaid information.
4. **Next hearing on 24.1.20 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19

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Tejinder Singh (Advocate),
Village Bholapur,
PO Ramgarh,
Chandigarh Road,
Ludhiana – 141 123

Versus

Public Information Officer,
o/o Secretary, Regional Transport Authority (RTA),
Faridkot.
First Appellate Authority,
o/o State Transport Commissioner,
Punjab, Chandigarh.

Appeal Case No. 2789 of 2019

PRESENT:
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier order on **3.10.19**)

1. The RTI application is dated **24.4.19** vide which the appellant has sought **information regarding vehicle transfers, reassignment, tax defaulters, checking of school buses etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **1.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **3.10.19**, wherein both parties were granted one more opportunity to be heard in person.

2. Both parties are absent. The appellant has intimated this Commission of his inability to be present in this hearing and has requested another hearing so he can present his case in person. The Respondent PIO, however, is absent without any intimation for the second time succession. This RTI application is dated 24.4.19 and as per the appellant's contention, in his email of 21.11.19, there has been no communication from the respondent PIO till date.

3. The respondent PIO is herewith ordered to SHOW CAUSE as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on 24.4.19.

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*."

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4. Next hearing on 24.1.20 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19

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Tejinder Singh (Advocate),
Village Bholapur,
PO Ramgarh,
Chandigarh Road,
Ludhiana – 141 123

Versus

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

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

Appeal Case No. 2791 of 2019

PRESENT:

(Appellant) Absent

Amardeep Singh, Clerk (for the Respondent) 98789-77003

ORDER:

(To be read in continuity with earlier order on 3.10.19)

1. The RTI application is dated **17.4.19** vide which the appellant has sought **information pertaining to the action taken on the STC's letter No. 185208 dated 2112.18 along with newspaper clippings etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **17.5.19** and second appeal was filed in the Commission on **1.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **3.10.19**.
2. The appellant is absent but has intimated this Commission, his inability to attend today's hearing.
3. The respondent PIO, represented by Amardeep Singh, clerk, has submitted a written reply which was sent to the appellant on 16.5.19 vide letter No. 1286. It was however, pointed out to him that the specific information requested by the appellant was not included in his reply to the appellant. The appellant too, has in his email of 21.11.19, contended that the respondent PIO had furnished "misleading and wrong" information.
4. It is evident that the respondent PIO had not fully understood what the appellant was seeking in his RTI application. However on clarification by this Commission, he has given a solemn assurance that he would immediately supply the requested information, with a copy to this Commission.

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5. Next hearing on 24.1.20 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19

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Gurmeet Singh,
s/o Jagmail Singh,
Village Kothe Fateh Deen,
Sherpur Road, Jagraon,
Ludhiana.

Versus

Public Information Officer,
o/o Director General of Police,
Punjab Home Guards,
Chandigarh.

First Appellate Authority,
o/o Director General of Police,
Punjab Home Guards,
Chandigarh.

Appeal Case No. 2814 of 2019

PRESENT:

Satinder Pal Singh Dhaliwal, Advocate(for the Appellant) 94172-65263
Pawan Kumar, Junior Assistant (for the Respondent) 98789-77003

ORDER:

(To be read in continuity with earlier order on 3.10.19)

1. The RTI application is dated **1.4.19** vide which the appellant has sought **information by way of a list of Home Guards personnel who worked with the Punjab Police between 1980 and 1990**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **2.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **3.10.19**.

2. Both parties are present. The appellant is represented by his lawyer, Satinder Pal Singh Dhaliwal. The respondent PIO, represented by Pawan Kumar, Junior Assistant, has submitted that information, as requested by the appellant, was sent to him by registered post. He has handed over a second copy at this hearing today. The appellant has expressed satisfaction with the information received by him.

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

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19

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Rakesh Kumar,
s/o Nem Chand,
c/o Pankaj Verma, Advocate,
Chamber No. 506, Yadvindra Court Complex,
Patiala.

Versus

Public Information Officer,
o/o Principal Secretary (TE-1 Branch),
Technical Education & Industrial Training,
Punjab Civil Secretariat-2,
Sector 9-A, Chandigarh.

First Appellate Authority,
o/o Principal Secretary, (TE-1 Branch),
Technical Education & Industrial Training,
Punjab Civil Secretariat-2,
Sector 9-A, Chandigarh.

Appeal Case No. 2820 of 2019

PRESENT:

Jagmohan Singh, (for the Appellant) 82890-24144

Gurwinder Kaur, APIO-Cum-Senior Assistant (for the Respondent) 94642-86587

ORDER:

(To be read in continuity with earlier order on 4.10.19)

1. The RTI application is dated **24.4.19** vide which the appellant has sought **information by way of copies of letters and noting pages of a file etc.**, 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 **6.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.10.19**.

2. Both parties are present. The appellant is represented by Jagmohan Singh. The respondent PIO, represented by Gurwinder Kaur, APIO-cum-Senior Assistant, has handed over partial information. She is directed to arrange for the appellant to inspect the record in her office today i.e. 21.11.19 (afternoon) following which the appellant can request attested copies of specific documents he requires to make up for the deficiency in the information already given.

3. **Next hearing on 24.1.20 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19

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Jasbir Singh,
Village Bolapur, Jhabewal, PO Ramgarh,
District Ludhiana.

Versus

Public Information Officer,
o/o Secretary, Regional Transport Authority,
Faridkot.
First Appellate Authority,
o/o State Transport Commissioner, Punjab,
Chandigarh.

Appeal Case No. 2850 of 2019

PRESENT:
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier order on **11.10.19**)

1. The RTI application is dated **11.3.19** vide which the appellant has sought **voluminous information pertaining to school and industrial vehicles etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **7.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.10.19**.

2. Both parties are absent for the second time in succession. However, the appellant Jasbir Singh has sent an email on 21.11.19 that he has not been given the information despite having deposited the fees demanded by the PIO on 3.4.19. However, on perusal of the file, it emerges that PIO had sought a fees of rupees 2.00 per copy for 857 permits, which amounts to rupees 1704.00 (letter dated 22.3.19). In response to this, the appellant sent a postal order valued at just rupees 100.00.

3. However, the Commission takes a serious view of the PIO's failure to respond to this Commission's Notice/Order on two successive occasions.

4. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20(1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on 11.3.19

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provisio there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*."

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4. Next hearing on 24.1.20 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19

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Manveer Kaur,
w/o Lakvinder Singh,
15, Green City, near Nitin Petrol Pump,
VPO Kako, District Hoshiarpur.

Versus

Public Information Officer,
o/o District Education Officer (SE),
Hoshiarpur.

Complaint Case No. 674 of 2019

PRESENT:
(Complainant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier order on **4.10.19**)

1. The complainant, **Manveer Kaur**, filed this RTI application dated **2.5.19** and sought information from the **PIO o/o District Education Officer (SE), Hoshiarpur**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **2.8.19**. This complaint case was last heard on **4.10.19**.
2. Both parties are absent. While the respondent PIO-Cum-Superintendent, Manjit Kaur, was permitted exemption from a personal appearance at today's hearing, the complainant Manveer Kaur was given one opportunity for a personal hearing, which she has failed to avail.
3. This Commission feels that this RTI application has been adequately addressed. There is no further cause for action and this complaint case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19

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Maninder Kaur,
w/o Manpreet Singh,
c/o Bhavish Rauni (Advocate),
Chamber No. 509, Yadvindra Court Complex,
Patiala.

Versus

Public Information Officer,
o/o Director, Technical Education & Industrial Training,
Punjab, Chandigarh.

Complaint Case No. 677 of 2019

PRESENT:

Jagmohan Singh, (for the Appellant) 82890-24144
Sardar Mewa Singh, APIO-Cum-Superintendent (for the respondent) 98729-83888
Sukhjinder Singh, Junior Assistant (for the Respondent) 90410-77112

ORDER:

(To be read in continuity with earlier order on 4.10.19)

1. The complainant, **Maninder Kaur**, filed this RTI application dated **20.5.19**, and sought information by way of noting pages etc. of files dealt with by the additional director (IR). When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **6.8.19**. This complaint case was last heard on **4.10.19**.

2. Both parties are present. The complainant is represented by Jagmohan Singh. The respondent PIO, represented by Mewa Singh, APIO-Cum-Superintendent and Sukjinder Singh, Junior Assistant, have submitted that requests have been sent to various branches to supply the information sought in this RTI application. They requested one more hearing to furnish the requested information.

3. **Next hearing on 24.1.20 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19

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Maninder Kaur,
w/o Manpreet Singh,
c/o Bhavish Rauni (Advocate),
Chamber No. 509, Yadvindra Court Complex,
Patiala.

Versus

Public Information Officer,
o/o Director, Technical Education & Industrial Training,
Punjab, Chandigarh.

Complaint Case No. 678 of 2019

PRESENT:

Jagmohan Singh, (for the Appellant) 82890-24144
Sardar Mewa Singh, APIO-Cum-Superintendent (for the respondent) 98729-83888
Sukhjinder Singh, Junior Assistant (for the Respondent) 90410-77112

ORDER:

(To be read in continuity with earlier order on 4.10.19)

1. The complainant, **Maninder Kaur**, filed this RTI application dated **20.5.19**, and sought information by way of official letters, copies of receipt registers, noting pages of files etc.. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **6.8.19**. This complaint case was last heard on **4.10.19**.

2. Both parties are present. The complainant is represented by Jagmohan Singh. The respondent PIO, represented by Mewa Singh, APIO-Cum-Superintendent and Sukjinder Singh, Junior Assistant, have submitted that requests have been sent to various branches to supply the information sought in this RTI application. They requested one more hearing to furnish the requested information.

3. **Next hearing on 24.1.20 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
21.11.19