

# **PUNJAB STATE INFORMATION COMMISSION**

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

Fax 0172-2864110 Phone No-0172-2864120

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Shri Amit Khurmi** S/o Sh. Baljit Singh

R/o 1313/3, Namdev Marg

Street No.8/5, Bathinda-151001

(M-94645011268).

...Complainant

Versus

**Public Information Officer**

O/o The Executive Officer,

Municipal Council, Khanna

District Ludhiana.

...Respondents

## **Complaint Case No.741 of 2018**

Present: The Complainant Sh. Amit Khurmi is absent.  
None is present on behalf of PIO/Respondent/PIO

### **ORDER:**

The case was last heard on 19.12.2018 and thereafter, the hearing fixed for 20.02.2019 was postponed to 22.02.2019.

On 19.12.2018, both the Complainant Shri Amit Khurmi as well as PIO/Respondent were absent on the last date of hearing. However, an e-mail was received from the PIO/Respondent sending therewith letter dated 13.12.2018 vide which the reply had been sent to the complainant. Along with this letter, a letter of Shri Amit Khurmi had also been enclosed, according to which the information had been received by the complainant and he was satisfied with the information supplied to him.

On going through the case file, it was observed that no such letter had been sent by the complainant himself to the Commission. As such, the complainant had been given one last opportunity to appear before the Commission to specifically confirm to have received the information. It was also made clear to him that in case he fails to do so, it would be presumed that he had received the information to his satisfaction and the case would be disposed of.

Today, neither the Appellant nor anyone on behalf of PIO/Respondent have come present. However, an e-mail dated 21.02.2019 has been received from the PIO/ Respondent vide which it has been informed that the Complainant has been supplied information vide letter dated 27.10.2018 and they have also received a letter from the Complainant to the effect that he is satisfied with the information supplied to him. The Complainant had been given last opportunity to confirm regarding his satisfaction to the information received, but he has not come present today. So, it is presumed that he is satisfied with the information received by him.

**In view of the above, the complaint is disposed of and the case is closed.**

Copies of the orders be sent to the parties concerned.

Sd/-

**(Sanjiv Garg)**

**State Information Commission  
Punjab**

**Dated:22.02.2019**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Sh. Rakesh Kumar** S/o Sh.Nem Chand  
C/o Sh.Pankaj Verma, Advocate  
Chamber No.506, Yadvindra Court  
Complex, Patiala.

....Complainant

**Versus**

**Public Information Officer**  
O/o Director, Technical Education &  
Industrial Training Deptt.  
Sector-36, Chandigarh.

**Public Information Officer,**  
O/o Secretary to the Govt.of Punjab  
Technical Education & Industrial  
Training Deptt. Punjab Civil Secretariat-2,  
Sector-9, Chandigarh.

...Respondents

## **Complaint Case No. 879 of 2018**

**Present:** The Complainant Sh.Rakesh Kumar is absent.  
On behalf of Respondent/PIO, Sh. Rashpal Singh is present.

## **ORDER:**

The case was last heard on 19.12.2018 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 19.12.2018, Shri Rashpal Singh, Sr.Asstt. had come present and had produced copy of letter dated 31.05.2018 from Secretary to Govt. of Punjab, Department of Technical Education & Industrial Training, vide which RTI application of the complainant had been transferred to the Director, Department of Technical Education & Industrial Training. He had also stated that the requisite information had been supplied to the complainant by registered post and had also produced photocopy of dispatch register with postal receipt affixed thereon showing to have sent the information to the complainant.

On the said date, neither the complainant himself nor his Advocate had come present and an e-mail was received the Advocate Shri Nikhil Batta seeking adjournment of the case. Accordingly, the complainant was advised to go through the information supplied and to point out deficiencies, if any, to the PIO. The complainant was also advised to come present on next date of hearing.

....1/2

**Complaint Case No. 879 of 2018**



Today, the complainant is absent, but he has sent e-mail dated 21.02.2019 enclosing therewith the letter dt.21.02.2019 pointing out deficiencies in the information supplied. According to this letter, he has not found any deficiencies with regard to information supplied on Points No.(i) to (v). He has pointed out deficiencies only regarding Points No.(vi) & (vii).

On the asking of the Court, Shri Rashpal Singh who comes present on behalf of PIO/Respondent states that the information has been supplied regarding Points (vi) & (vii) after removing deficiencies as per photocopies of letters dated 04.01.2019 and 18.01.2019 produced before the Court, which are taken on record.

Last opportunity is given to the Complainant to put forth his version with regard to the information supplied on Points (vi) & (vii) as to whether he is satisfied with the information supplied on these points also. He is advised to come present in person on next date of hearing, otherwise the case will be decided on merits.

Both the parties to come present on the next date of hearing which is fixed for **10.04.2019 at 11.00 AM.**

Copies of orders be given to both the parties.

**Dated:22.02.2019**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commission**  
**Punjab**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Sh. Harpal Singh Sodhi**

S/o Sh.Dasondha Singh Sodhi,

H.No.15, Kalgidhar Enclave,

Baltana, Zirakpur

District S.A.S. Nagar(Mohali).

(M-9316127392)

....Complainant

**Vs.**

**Public Information Officer,**

O/o The Director,

Technical Education & Industrial

Training Department, Punjab,

Takniki Sikhiya Bhawan,

Sector-36A, Chandigarh.

...Respondents

## **Complaint Case No. 738 of 2018**

**Present:**

Sh.Gagandeep Singh, is present on behalf of complainant.

On behalf of Respondent/PIO, Sh.Rachhpal Singh, Sr. Assistant is present.

## **ORDER:**

The case was last heard on 19.12.2018 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 19.12.2018, Sh. Rashpal Singh, Sr. Asstt. had come present on behalf of PIO. He had stated to have supplied the information but had not produced any postal receipt thereof. The complainant Sh. Harpal Singh Sodhi had appeared.

The complainant had stated that deficiencies had been pointed out in the information supplied. He had shown his dis-satisfaction to the information on Points no.1, 2, 5 & 6 and had stated that no information had been supplied to him on points No.3,4 & 7. As per perusal of reply, it was observed that the action relating to Points No.3, 4 & 7 had been taken by the Finance Department. Accordingly, PIO/Respondent had been directed to either supply the information after collecting the same from Finance Department or give it in writing in the form of an affidavit that the information was not available with their office as it was available with the Finance Department. PIO/ Respondent was also directed to supply the complete information before the next date of hearing.

....1/2



Today, Sh. Gagandeep Singh, comes present on behalf of Complainant and produces his authority letter which is taken on record. Sh. Rashpal Singh, Sr. Asstt. on behalf of PIO/Respondent comes present and hands over letter containing the information after removal of deficiencies, to the representative of complainant. On being asked by the Court, the representative of the Complainant is unable to state whether the information is in order as per RTI Application or not. In fact, he is unaware of the facts of case.

In view of this, last opportunity is given to the Complainant to point out deficiencies, if any, in the information supplied and also is advised to come in person on the next date of hearing.

The case is adjourned to next date of hearing which is fixed for **15.04.2019 at 11.00 AM.**

Both the parties to come present on next date of hearing.

Copies of orders be given to both the parties.

**Dated:22.02.2019**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commission**  
**Punjab**

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**Shri Surinder Pal Singh, Sr.Asstt.**

Pepsu Road Transport Corpn.(HQ)

Patiala

#166-C, Rattan Nagar, Tripuri,

Patiala-9779215166

....Appellant

Versus

**Public Information Officer**

O/o Deputy Controller(F&A),

Pepsu Road Transport Corpn.

Nabha Road, Patiala.

**First Appellate Authority-cum-**

O/o Chief Accounts Officer

O/o Managing Director,

P.R.T.C. (HQ), Patiala.

...Respondents

## **Appeal Case No.3407 of 2018**

Present: Appellant Sh.Surinder Pal Singh is absent  
On behalf of PIO/Respondent Sh.Gian Chand, Sr. Asstt. is present.

### **ORDER:**

The case was last heard on 01.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 01.01.2019, both the Appellant as well as the PIO/Respondent were absent. After going through the documents available on record, an opportunity was given to the Appellant to appear in person for clearing the facts of the case. He was also advised to go through the information and point out deficiencies in written to the PIO/Respondent with a copy to the Commission. The PIO/Respondent was also directed to send the requisite information to the Appellant and also to appear in person or through any of his representative along with postal receipt.

Today, the Appellant is absent. The representative of PIO/Respondent Shri Gian Chand comes present and produces copy of letter dated 14.02.2019 showing that the requisite information has already been supplied to the Appellant. The letter also contains the receipt affixed by the Appellant on the letter itself confirming to have received the information and also requesting for closing the Appeal.

In view of the above, **the Appeal is disposed of and the case is closed.**

Copies of orders be sent to both the parties.

**Dated:22.02.2019**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commission**  
**Punjab**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Sh. Ravi Kumar**

S/o Sh.Dharminder Kumar

R/o H.No.107, Backside Santpura

Gurdwara, Patiala Gate, Sangrur

M-9356037575

...Appellant

Versus

**Public Information Officer-cum-**

O/o Regional Transport Authority,

Sangrur

**First Appellate Authority**

O/o State Transport Commissioner, Pb.

Sector-17B, Chandigarh.

...Respondents

## **Appeal Case No.3397 of 2018**

Present: Appellant Sh.Ravi Kumar is absent.  
None is present on behalf of PIO/Respondent.

### **ORDER:**

The case was last heard on 01.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 01.01.2019, both the Appellant as well as the PIO/Respondent were absent. After going through the documents placed on record, an opportunity was given to the Appellant to appear in person for clearing the facts of the case on next hearing. The PIO/Respondent was also directed to send the requisite information to the Appellant by registered post. PIO was directed to come present in person or through any of his representative and also to produce postal receipt. It was also made clear that in the event of his failure to do so, action would be taken against PIO/Respondent. The Appellant was also advised to go through the information and to point out deficiencies.

Today, the Appellant is absent but he has sent an e-mail dated 21.02.2019 informing that due to ill health, he is unable to attend the court and requested for another date. PIO/Respondent is absent for the 2<sup>nd</sup> consecutive hearing.

**In view of the above, PIO O/o The Secretary, Regional Transport Authority, Sangrur will Show Cause under Section 20 (1) of the RTI Act, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.**



In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.

Strict instructions are issued to the PIO/Respondent to supply the information to the Appellant by registered post and to come present in person along with the information on the next date of hearing.

The appellant is also advised to point out deficiencies, if any, in the information supplied on receipt of information and send the same to the PIO/Respondent by registered post with a copy to the Commission.

Both the parties to come present on next date of hearing.

The case is adjourned to **10.04.2019 at 11.00 A.M.**

Copies of the order be sent to the parties.

**Dated:22.02.2019**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commission**  
**Punjab**

**Show Cause Notice**

**Regd. Post**      **Public Information Officer (By Name)**  
O/o The Secretary,  
Regional Transport Authority,  
Sangrur.

**Encl: RTI Application**



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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Smt. Daljeet Kaur**

W/o Sh. Gurmeet Singh

#553, New Defence Colony,

Deep Nagar-II, Jalandhar Cantt.-144005

M-8968074623

...Appellant

Versus

**Public Information Officer**

O/o The Secretary, Regional

Transport Authority, Jalandhar.

**First Appellate Authority**

O/o State Transport Commissioner

Punjab, Sector-17B, Chandigarh.

...Respondents

## **Appeal Case No.3406 of 2018**

Present: The Appellant Smt. Daljeet Kaur is present.  
On behalf of PIO/Respondent, Sh. Lember Ram, Jr. Assistant.

### **ORDER:**

The case was last heard on 01.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 01.01.2019, the Appellant was absent. Smt. Daljeet Kaur, being unwell could not attend the court. As such, no statement could be recorded. The representative of PIO had stated that the information had been supplied to the appellant by registered post.

After discussing with the representative of PIO/Respondent and going through the documents placed on record, an opportunity was given to the Appellant to appear in person for clearing facts of the case, on the next date. The PIO/Respondent was also directed to send the requisite information to the Appellant through registered post before next date of hearing i.e. today. The appellant was also advised to point out deficiencies after receiving the information, in written to the PIO/Respondent, with a copy to the Commission.

Today, Sh. Lember Ram comes present on behalf of the PIO/Respondent and submits letter dated 13.02.2019 that to give retirement benefits to the appellant, the relevant record has been searched but due to frequent transfers of the staff, difficulty is being faced to trace out the relevant record. Vide this letter, the PIO/Respondent has also requested the appellant to make available the photocopy of passbook of the relevant time so as to make payment of the balance amounts to her.

**Appeal Case No.3406 of 2018**

The Appellant Smt. Daljit Kaur has also produced a copy of letter dated 15.02.2019 vide which she has informed that she has made available the photocopy of the pass book/bank statement to the PIO/Respondent as desired vide their letter dated 13.02.2019. But the requisite information is yet to be supplied. It is observed that PIO/Respondent is trying to delay the information.

In view of the above, PIO O/o The Secretary, Regional Transport Authority, Jalandhar will Show Cause under Section 20 (1) of the RTI Act, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.

Strict instructions are issued to the PIO/Respondent to supply the information to the Appellant by registered post and to come present in person along with the information on the next date of hearing.

The appellant is also advised to point out any deficiencies in the information on receipt of information and send the same to the PIO/Respondent by registered post with a copy to the Commission.

The case is adjourned to **10.04.2019 at 11.00 A.M.**

Both the parties to come present on next date of hearing.

Copies of the order be sent to the parties.

Sd/-

(Sanjiv Garg)

State Information Commission  
Punjab

Dated:22.02.2019

**Show Cause Notice**

**Regd. Post**      **Public Information Officer (By Name)**  
O/o The Secretary,  
Regional Transport Authority,  
Jalandhar.

**Encl: RTI Application**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Shri Harish Jindal S/o Sh.Sukhdev Kumar**

Street No.1, Kishan Bagh,

Outside Nabha Gate,

Sangrur (M-9463511675)

... Appellant

Versus

**(Regd. Post) Public Information Officer**

Assistant Registrar

O/o I.K.Gujral Pb. Technical University

Near Pushpa Gujral Science City

Jalandhar Kapurthala Highway,

Kapurthala-144603

**(Regd. Post) First Appellate Authority**

O/o Registrar, I.K.Gujral Pb. Technical University

Near Pushpa Gujral Science City

Jalandhar Kapurthala Highway,

Kapurthala-144603

....Respondents

## **Appeal Case No.3461 of 2018**

Present:

The Appellant Sh. Harish Jindal is absent.

On behalf of PIO/Respondent, Shri Rajinder Kumar, Assistant Registrar,  
IKG Punjab Technical University, Kapurthala.

## **ORDER:**

The case was last heard on 01.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 01.01.2019, the Appellant Sh.Harish Jindal was absent but vide an e-mail dated 31.12.2018, he had sought adjournment. On behalf of PIO/Respondent, Shri Rajinder Kumar, Assistant Registrar had come present. He had stated that they have transferred to RTI Application to the Institute of Engineering & Technology, Village Bhaddal, District Ropar, coming under the control of I.K. Gujral Punjab Technical University and that I.E.T. Bhaddal would supply the information.

After discussing with the Respondent/PIO and going through the documents placed on record, it was found that IET Bhaddal, being a Private Institute, does not come directly the purview of RTI Act, 2005. As such, Respondent/PIO was directed to gather the requisite information from IET Bhaddal and supply the same to the Appellant. An opportunity was given to the Appellant Shri Harish Jindal to appear in person for clearing the facts of case on the next date of hearing. The PIO/Respondent was also directed to appear in person or through his representative on the next date of hearing.

**Appeal Case No.3461 of 2018**



Today, Shri Rajinder Kumar, Assistant Registrar, comes present on behalf of PIO/Respondent. He states that the information is not available with the PIO/Respondent. He states that they have written to Director, Institute of Engineering & Technology, Bhaddal. He also produced a copy of e-mail dated 21.02.2019 from IET Bhaddal stating that all Institutional details are uploaded on AICTE web portal and are available on web portal and that Institution never keeps hard copy. The said letter is also supported by letters dated 26.05.2014 and 15.02.2018 seeking approval of AICTE for 2014-15 and 2018-19. However copies of application for extension of approval for academic year 2014-15 and 2018-15 sent to the Director, Technical Education & Industrial Training, Punjab and the information regarding point (b) are yet to be supplied to the appellant.

**Since the information is to be supplied by the PIO/Appellant, the SPIO, IKG Punjab Technical University, Jalandhar will Show Cause under Section 20 (1) of the RTI Act, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.**

**In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.**

Strict instructions are issued to the PIO/Respondent to supply the information to the Appellant by registered post and to come present in person along with the information on the next date of hearing.

The appellant is also advised to point out any discrepancies in the information on receipt of information and send the same to the PIO/Respondent by registered post with a copy to the Commission.

Both the parties to come present on next date of hearing.

The case is adjourned to **10.04.2019 at 11.00 A.M.**

Copies of the order be sent to the parties.

**Dated:22.02.2019**

**Sd/-  
(Sanjiv Garg)  
State Information Commission  
Punjab**

# **PUNJAB STATE INFORMATION COMMISSION**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Shri Harish Jindal S/o Sh.Sukhdev Kumar**

Street No.1, Kishan Bagh,  
Outside Nabha Gate,  
Sangrur (M-9463511675)

... Appellant

Versus

## **Public Information Officer**

Assistant Registrar  
O/o I.K.Gujral Pb. Technical University  
Near Pushpa Gujral Science City  
Jalandhar Kapurthala Highway,  
Kapurthala-144603

## **First Appellate Authority**

O/o Registrar, I.K.Gujral Pb. Technical University  
Near Pushpa Gujral Science City  
Jalandhar Kapurthala Highway,  
Kapurthala-144603

....Respondents

### **Appeal Case No.3459 of 2018**

Present: The Appellant Sh.Harish Jindal is present.  
Sh.Rajinder Kumar, Assistant Registrar is present  
on behalf of PIO/Respondent

## **ORDER:**

The case was last heard on 01.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 01.01.2019, the Appellant Sh.Harish Jindal was absent but vide an e-mail dated 31.12.2018, he had sought adjournment. On behalf of PIO/Respondent, Shri Rajinder Kumar, Assistant Registrar had come present. He had stated that requisite information, sought in another similar case, had been supplied to the Appellant. He had also stated that the requisite information had already been provided by them to the Appellant.

After discussing with the Respondent/PIO and going through the documents placed on record, an opportunity was given to the Appellant Shri Harish Jindal to appear in person for clearing the facts of case on the next date of hearing. The PIO/Respondent was also directed to file a proper written reply signed by the PIO stating that the requisite information was similar to another case which had been filed by the Appellant in this Commission and PIO/Respondent was also directed to bring photocopies of the similar RTI Applications and their case numbers and also appear in person or through his representative on the next date of hearing.

**Appeal Case No.3459 of 2018**



The Appellant Harish Jindal comes present. He states that complete information has not been supplied. On behalf of PIO/Respondent Sh. Rajinder Kumar comes present today. During discussion with the parties, Shri Rajinder Kumar states that as regards Point No.b(i), the Rules of All India Council for Technical Education (AICTE) and University Grants Commission (UGC) are being followed by the Institutions affiliated with IKG PTU Jalandhar. Regarding Point-5 referred to at S.No.b(ii), the Appellant states that there is another RTI application pending with the Commission which contains Point No.5. Since this cannot be replied by the PIO in this case, Sr.No.(ii) is struck off. Regarding point b(iii), this information has also been asked for vide another application. The appellant is advised not to file separate application for seeking same information.

Since the other application seeking similar information is pending, **the present application is disposed of and is closed.**

Copies of orders be given to both the parties.

**Dated:22.02.2019**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commission**  
**Punjab**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Shri Harish Jindal S/o Sh.Sukhdev Kumar**

Street No.1, Kishan Bagh,  
Outside Nabha Gate,  
Sangrur (M-9463511675)

... Appellant

Versus

**Public Information Officer**

Assistant Registrar  
O/o I.K.Gujral Pb. Technical University  
Near Pushpa Gujral Science City  
Jalandhar Kapurthala Highway,  
Kapurthala-144603

**First Appellate Authority**

O/o Registrar, I.K.Gujral Pb. Technical University  
Near Pushpa Gujral Science City  
Jalandhar Kapurthala Highway,  
Kapurthala-144603

....Respondents

## **Appeal Case No.3218 of 2018**

Present: The Appellant Sh.Harish Jindal is present.  
Sh.Rajinder Kumar, Assistant Registrar is present  
on behalf of PIO/Respondent

### **ORDER:**

The case was last heard on 01.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 01.01.2019, the Appellant Sh. Harish Jindal was absent but vide an e-mail dated 31.12.2018, he had sought adjournment. On behalf of PIO/Respondent, Shri Rajinder Kumar, Assistant Registrar had come present. He had stated that the requisite information had been sent to the Appellant by registered post. He had also submitted letter dated 28.11.2018 along with certain documents which had been taken on record.

After discussing with the Respondent/PIO and going through the documents placed on record, an opportunity was given to the Appellant Shri Harish Jindal to appear in person for clearing the facts of case on the next date of hearing. The PIO/Respondent was also directed to send the requisite information to the Appellant by registered post before next date of hearing and he was also directed to appear in person or through his representative on the next date of hearing.

**Appeal Case No.3218 of 2018**



The Appellant Harish Jindal comes present. He states that complete information has not been supplied. On behalf of PIO/Respondent Sh.Rajinder Kumar comes present today. Regarding point No.1, he produces letter dated 16.07.2018 along with letter dated 28.02.2017 which show the name of nominee of IKG Punjab Technical University, Jalandhar as well as the constitution of the Expert Committee for making selections. The appellant states that he has desired information from 01.07.2013 to 31.03.2018. However, the representative of PIO states that the information desired for the period relates to IET Bhaddal and is third party information. Regarding Point No.2, Sh. Rajinder Kumar states that the information will be given on the next date.

Last opportunity is given to the PIO/Respondent to supply whatever information is sought to the supplied by the Appellant, or else to give in writing whichever information cannot be supplied, failing which strict action will be taken.

The case is adjourned to the next date of hearing which is fixed for **10.04.2019 at 11.00 AM.**

Both the parties to come present on the next date of hearing.

Copies of the orders be given to the parties.

**Dated:22.02.2019**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commission**  
**Punjab**



# **PUNJAB STATE INFORMATION COMMISSION**

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Shri Harish Jindal S/o Sh.Sukhdev Kumar**

Street No.1, Kishan Bagh,  
Outside Nabha Gate,  
Sangrur (M-9463511675)

... Appellant

Versus

**Public Information Officer**

Assistant Registrar  
O/o I.K.Gujral Pb. Technical University  
Near Pushpa Gujral Science City  
Jalandhar Kapurthala Highway,  
Kapurthala-144603

**First Appellate Authority**

O/o Registrar, I.K.Gujral Pb. Technical University  
Near Pushpa Gujral Science City  
Jalandhar Kapurthala Highway,  
Kapurthala-144603

....Respondents

## **Appeal Case No.1721 of 2018**

Present: The Appellant Sh.Harish Jindal is present.  
Sh.Rajinder Kumar, Assistant Registrar is present  
on behalf of PIO/Respondent

### **ORDER:**

The case was last heard on 08.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 01.01.2019, the Appellant Sh.Harish Jindal was absent but vide an e-mail dated 08.01.2019, he had sought adjournment. On behalf of PIO/Respondent, Shri Rajinder Kumar, Assistant Registrar had come present. He had stated that the requisite information had been sent to the Appellant by registered post. He had also submitted letter dated 28.11.2018 along with certain documents which had been taken on record.

After discussing with the Respondent/PIO and going through the documents placed on record, it was observed that the PIO/Respondent had submitted an appointment letter containing terms & conditions of an employee but not the copy of service rules. A serious view was taken of casual approach. PIO/Respondent was directed to supply certified copy of Service Rules in the orders dated 30.10.2018.

**Appeal Case No.1721 of 2018**



An opportunity was given to the PIO/Respondent to supply certified copy of Service Rules that are applicable to the employees of University or the Rules applied by any affiliated colleges failing which action would be taken and he was also directed to appear in person or through his representative on the next date of hearing.

An opportunity was given to the Appellant Shri Harish Jindal to go through the information supplied after receiving the same and point out deficiencies in written, if any, to the PIO/Respondent with a copy to the Commission. The Appellant was also advised to appear in person on the next date of hearing.

Today the appellant Shri Harish Jindal comes present. On behalf of PIO/Respondent, Shri Rajinder Kumar comes present. On going through the file, it is observed that on the last date, PIO/Respondent was asked to provide a copy of the Service Rules governing the posts of Regular/Full Time/Part time faculties appointed but the same has not been supplied. PIO/Respondent is directed to supply the copy of service rules and information relating to Point No.(v) before the next date of hearing, as the appointment letter earlier given contains only terms and condition for appointment.

The case is adjourned to the next date of hearing which is fixed for **10.04.2019 at 11.00 AM**.

Both the parties to come present on the next date of hearing.

Copies of the orders be given to the parties.

**Dated:22.02.2019**

**Sd/-  
(Sanjiv Garg)  
State Information Commission  
Punjab**

# **PUNJAB STATE INFORMATION COMMISSION**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Shri Harish Jindal S/o Sh.Sukhdev Kumar**

Street No.1, Kishan Bagh,  
Outside Nabha Gate,  
Sangrur (M-9463511675)

... Appellant

Versus

**(Regd. Post) Public Information Officer**  
O/o Directorate of Technical Education &  
Industrial Training, Punjab  
Sector-36, Chandigarh.

**(Regd. Post) First Appellate Authority**  
O/o Directorate of Technical Education &  
Industrial Training, Punjab  
Sector-36, Chandigarh. **(Encl. RTI APPLICATION)**

....Respondents

## **Appeal Case No.3214 of 2018**

**Present:** The Appellant Shri Harish Jindal is present.  
On behalf of PIO/Respondent, Sh. Baldev Singh, Senior Assistant  
O/o Director, Technical Education & Industrial Training, Punjab.

### **ORDER:**

The case was last heard on 01.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On 01.01.2019, the Appellant Sh.Harish Jindal was absent but vide an e-mail dated 31.12.2018, he had sought adjournment. On behalf of PIO/Respondent, Shri Bhupinder Singh, Supdt. had come present along with Sh.Baldev Singh, Senior Assistant. The PIO/Respondent had stated that the information sought by the Appellant was not available in their office. He had also submitted letter dated 01.01.2019 which had been taken on record.

After discussing with the Respondent/PIO and going through the documents placed on record, an opportunity was given to the Appellant Shri Harish Jindal to appear in person for clearing the facts of case on the next date of hearing. The PIO/Respondent was also directed to send this letter to the Appellant by registered post before next date of hearing and he was also directed to appear in person or through his representative along with postal receipt on the next date of hearing.



-2-

**Appeal Case No.3214 of 2018**

Today, the Appellant Shri Harish Jindal comes present and states that information has not been supplied to him. On behalf of PIO/Respondent, Sh. Baldev Singh comes presents. He produces letter dated 22.02.2019 vide which APIO O/o Director, Technical Education & Industrial Training, Punjab has informed that no information is available in their office record. On the asking of the court, the Appellant states that it is not the complete information as he has desired to know the name and designation of Nominees of Department in Selection/Screening Committees and venue at which such selection/screening process is conducted.

On the asking of the Court, Shri Baldev Singh is unable to tell why this information cannot be supplied and he is unaware of the facts of the case. He states that Smt. Monika Bansal, is the PIO.

In view of the above, **PIO O/o The Director, Technical Education & Industrial Training, Punjab, Chandigarh will Show Cause under Section 20 (1) of the RTI Act**, as to why penalty be not imposed upon him for willful delay in supplying the information to the RTI Appellant and as to why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

In addition, the PIO is also hereby given an opportunity under Section 20(1) provision thereto, for a personal hearing with the sought for information, before the imposition of such penalty on the next date of hearing.

Strict instructions are issued to the PIO/Respondent to supply the information to the Appellant by registered post and Mrs. Monika Bansal, PIO is directed to come present in person on the next date of hearing.

The appellant is also advised to point out any deficiencies, if any, on receipt of information and send the same to the PIO/Respondent by registered post.

Both the parties to come present on next date of hearing which is fixed for **10.04.2019 at 11.00 A.M.**

Copies of the order be sent to the parties.

**Dated: 22.02.2019**

Show Cause:

**(Regd. Post) Public Information Officer (Mrs. Monika Bansal)**  
O/o Directorate of Technical Education &  
Industrial Training, Punjab  
Sector-36, Chandigarh. **(ENCL. RTI APPLICATION)**

Sd/-  
**(Sanjiv Garg)**  
**State Information Commission**  
**Punjab**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Sh. Kans Raj Saini**

S/o Sh.Amin Chand Saini  
H.No 7, New Shankar Garden,  
Gujja Peer Road, PO Industrial Area,  
Jalandhar-144004(M: 94656-73112)

....Appellant

**Versus**

**Public Information Officer,**

O/o The Tehsildar, Pathankot,  
Tehsil & Distt. Pathankot.

**First Appellate Authority,**

O/o Sub Divisional Magistrate,  
Pathankot.

...Respondents

## **Appeal Case No. 3432 of 2018**

**Present:** Shri Ashwani Sharma, Advocate on behalf of Appellant.  
Shri Joginder Singh, Patwari and Sh.Amandeep Singh, Patwari  
were present on behalf of Respondents/PIO.

## **ORDER:**

The case was last heard on 02.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019. On behalf of Appellant, Sh.Ashwani Sharma, Advocate had come present on behalf of Appellant Sh.Kans Raj Saini. On behalf of PIO/Respondent, Sh.Dev Raj, Kanungo had come present.

Sh.Ashwani Sharma, Advocate of the Appellant Sh.Kans Raj Saini had stated that the Appellant had been provided the information regarding Jamabandi vide letter No.RTI/1179 OK dated 02.08.2018. He had further stated that no information prior to 1961-62 had been supplied and the information regarding 1961-62 was in Urdu. Upon this, the representative of PIO Sh. Dev Raj had handed over a copy of the letter dated 28.12.2018 from PIO-cum-Tehsildar, Pathankot to the Appellant enclosing therewith the report of Naib Tehsildar, Narot Jaimal Singh. As per this report, the information regarding Jamabandi for the year 2012-13, 1967-68 and 1961-62 had been given and that no record relating Jamabandi prior to the year 1961-62 was available. Copy of the letter with information relating to Jamabandi for the year 1961-62 (in Urdu) were taken on record.

...1/2

**Appeal Case No.3432/2018**

Sh.Dev Raj had also stated before the Court that no Jamabandi record prior to 1953 was available in their office. He had further stated that the information for Jamabandi for the year 1961-62 was available only in Urdu language, whereas the information from 1967-68 onwards till 2009-2010, from which year computerization of the revenue record was started as per Sh.Dev Raj, was in Punjabi Language.

After discussing the case with Sh. Ashwani Sharma, Advocate and Sh. Dev Raj & Sh.Harsh Kumar who came present on behalf of PIO/Respondent, it was decided that the Appellant would visit the Patwari Sh.Harsh Kumar by making contact with him on phone, **to inspect the record on 07.01.2019** and to get the requisite information. It was directed that Sh.Harsh Kumar, Patwari would ensure to provide requisite information as required by the appellant. The Appellant and the PIO/Respondent were also advised to come in person or through representative on the next date of hearing.

Today Sh.Ashwani Sharma, Advocate comes present on behalf of the Appellant. Sh.Joginder Singh, Patwari and Sh.Amandeep Singh, Patwari come present on behalf of the PIO/Respondent. They produce letter No.1246 dated 18.02.2019 from the Naib Tehsildar, Pathankot vide which letter No.1245 dated 18.02.2019 of Tehsildar, Pathankot, in which it is stated that Shri Kans Raj, the Appellant has been delivered the copies of requisite record and a receipt from Shri Kans Raj, Appellant has also been enclosed. The said receipt shows that the information has been received by him to his satisfaction and he has not to receive any other document. The Advocate appearing on behalf of the Appellant contends not to have received complete information, but his contention is not accepted in view of the receipt given by his client to the PIO/Respondents.

**The appeal is disposed of and the case is closed.**

Copies of the order to be sent to the parties

**Dated:22.02.2019**

**Sd/-  
(Sanjiv Garg)  
State Information Commission  
Punjab**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Shri Tejinder Singh**

R/o Village Bholapur, PO Ramgarh  
Chandigarh Road,  
Ludhiana-141123 (M-90410-04313)

.....Appellant

**Versus**

**Public Information Officer,**

O/o Food Safety Officer  
Bathinda

**First Appellate Authority**

O/o The District Health Officer  
Bathinda.

.....Respondent.

## **Appeal Case No.1644 of 2018**

**Present:**

The Appellant Shri Tejinder Singh is absent.

Mr.Sanjay Katyal, Food Safety Officer, Bathinda PIO/Respondent was present

## **ORDER**

The case was last heard on 07.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On the last date of hearing, Dr. Sanjay Katyal had appeared and had stated that the information had been supplied to the Appellant. However, the PIO/Respondent had stated that Information on Point No.1 cannot be supplied being third party information. Not accepting his contention, he was directed to supply the information. Whereas the Appellant was satisfied with the information on points No.2,3,4 & 5, regarding points No.6 & 7, he had desired to know total number of cases and what type of work had been done by 4 Food Inspectors named in the reply. PIO/Respondent had assured that the information on remaining points would be supplied by next date of hearing.

Today, the Appellant Sh.Tejinder Singh is absent. He has, however, sent letter dated 21.02.2019 informing that complete information has not been received by him. Shri Sanjay Katyal, Food Safety Officer, PIO comes present. Regarding Point No.1, he produces copies of Form-VI and regarding Form-V, he states that since it is a legal document, it cannot be supplied as such, but it can be supplied in the form he has produced before the Court, which is accepted as it is derived from the register maintained and contains total information as per Form V sought at Point No.1.



**Appeal Case No.1644 of 2018**

PIO states that the statement derived from the register produced by him also contains the information desired at Point No.6 of RTI application. Regarding Point No.7, he states that there is no relevant record present in the office to educate the people for food safety. The information produced before the Court is taken on record.

PIO/Respondent is directed to send the information to the Appellant by registered post including certified copy of Form No.6. Appellant is also advised to point out deficiencies, if any, on receipt of information from the PIO/Respondent.

Both the parties to come present on the next date of hearing which is fixed for **15.04.2019 at 11.00 AM.**

Copies of the orders be given to both the parties.

**Dated:22.02.2019**

Sd/-  
(Sanjiv Garg)  
State Information Commissioner,  
Punjab



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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



**Shri Tejinder Singh**

R/o Village Bholapur, PO Ramgarh  
Chandigarh Road,  
Ludhiana-141123 (M-90410-04313)

.....Appellant

**Versus**

**Public Information Officer,**

O/o The Commissioner,  
Municipal Corporation,  
Jalandhar.

**First Appellate Authority**

O/o Commissioner,  
Municipal Corporation,  
Jalandhar

.....Respondent.

## **Appeal Case No.1265 of 2018**

**Present:** The Appellant Shri Tejinder Singh is absent.  
Shri Dinesh Joshi, Building Inspector is present  
on behalf of Municipal Corporation, Jalandhar.

## **ORDER**

The case was last heard on 07.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On the last date of hearing, Ms. Pooja Mann had come present on behalf of PIO and had stated that the information had been supplied. However, the Appellant had stated that only copies down-loaded from the net had been supplied, and he had desired point-wise reply to be supplied to him.

In view of the fact that the complete information had not been supplied in spite of 4-5 hearings, compensation of Rs.2000/- was awarded in favour of the Appellant. Last opportunity was given to the PIO/Respondent to supply the point-wise complete information/certified copies of the down-loaded documents to the Appellant before the next date, otherwise strict action would be taken. Both the parties were asked to come present on next date of hearing.

The Appellant Sh. Tejinder Singh is absent but he has sent an e.mail dated 21.02.2019 informing that neither any information has been received by him nor he has been paid compensation amount. Shri Dinesh Joshi, Building Inspector has come present on behalf of PIO/ Respondent.

**Appeal Case No.1265 of 2018**

Sh.Dinesh Joshi produces a letter dated 20.02.2019 that all the on-record information has been supplied to the Appellant by registered post/in the court vide letters dated 06.12.2017, 03.10.2018 & 11.10.2018. It is also stated therein that the cost of Rs.2000/- is in the process of approval in the shape of draft and will be paid within few days.

It is observed that the PIO/Respondent is trying to delay the supply of information after removing the deficiencies pointed out. The amount of compensation was also required to be paid today.

**In addition to the compensation of Rs.2000/-, a penalty of Rs.2000/- (Rupees two thousand only) is imposed on the concerned PIO/Respondent, O/o The Commissioner, Municipal Corporation, Jalandhar. The amount of penalty i.e. Rs.2000/- should be deducted from the salary of the PIO and be deposited in the Govt. Treasury under the head "0070-Other Administrative Services-60-Other Services-800-Other Receipts-86-Fees under the Right to Information Act".**

PIO/Respondent is also directed to come in person and submit the proof of having deposited the penalty on the next date of hearing. PIO/Respondent is further directed to supply the remaining information before the next date of hearing. Copy of this order be sent to him through registered post for his ready reference.

The case is adjourned to **15.04.2019 at 11.00 AM.**

Both the parties to come present on the next date of hearing.

Copies of the orders be sent to both the parties.

**Dated:22.02.2019**

**CC:**

**(Regd. Post) Public Information Officer (By Name)  
O/o The Commissioner,  
Municipal Corporation, Jalandhar.**

**Sd/-  
(Sanjiv Garg)  
State Information Commissioner,  
Punjab**

# **PUNJAB STATE INFORMATION COMMISSION**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



## **Shri Yogesh Mahajan**

S/o Shri Kuldeep Rai Mahajan  
President, Anti Corruption Council,  
Opp. Water Tank, Municipal Market  
Missini Road, Pathankot (M-98143-54649)

...Appellant

**V/s.**

## **Public Information Officer**

O/o Executive Engineer,  
Construction Division No.1,  
PWD (B&R), Ludhiana

## **First Appellant Authority-cum-**

O/o Superintending Engineer, Construction Circle,  
Public Works Department, PWD (B&R)  
Ludhiana

...Respondents

## **Appeal Case No. 3053 of 2018**

**Present:** The Appellant, Sh. Yogesh Mahajan is absent.  
Sh.Parshotam Dass Rana, Sub Divisional Engineer is present  
on behalf of Respondent/PIO.

## **ORDER**

The case was last heard on 07.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On the last hearing, the Appellant was absent, but he had sent an e-mail for excusing his absence from the hearing on that day.

Shri Parshotam Dass Rana, Sub Divisional Engineer, who had come present on behalf of PIO/Respondent, had stated to have supplied the information by registered post vide letter dated 29.11.2018 and had also produced copy of postal receipt dated 30.11.2018. Same was taken on record.

Since the Appellant was absent for the 2<sup>nd</sup> consecutive hearing, last opportunity was given to him to point out deficiencies in the information supplied and to come present personally on the next date, otherwise the case would be decided in his absence. Both the parties were advised to come present on the next date of hearing i.e. today.

Today, the Appellant Sh.Yogesh Mahajan is absent. On behalf of PIO/Respondent, Sh.Parshotam Rana, Sub Divisional Engineer is present. Sh.Parshotam Rana states to have supplied the information to the appellant by registered post and had produces the postal receipt and also submits copy to the Court.

...1/2

**Appeal Case No. 3053 of 2018**



On going through the case file, it is observed that the appellant has been absent for the 3<sup>rd</sup> consecutive hearing. Therefore, the appellant is given last opportunity to clarify the position regarding receipt of information, otherwise the case will be decided on merits.

The case is adjourned to **15.04.2019 at 11.00 AM.**

Both the parties to come present on the next date of hearing.

Copies of the orders be sent to both the parties.

**Dated:22.02.2019**

**Sd/-  
(Sanjiv Garg)  
State Information Commissioner,  
Punjab**

# **PUNJAB STATE INFORMATION COMMISSION**

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**Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.**



Shri Baldev Krishan  
S/o Shri Darshan Lal,  
Royal Country Colony,  
Near Taru Da Wara, Phagwara  
District Kapurthala

...Appellant

**Versus**

## **Public Information Officer**

O/o Sub Divisional Engineer,  
Construction Sub Division, PWD (B&R) ,  
Tehsil Complex, Phagwara, Distt. Kapurthala.

## **First Appellant Authority**

O/o Sub Divisional Engineer,  
Construction Sub Division, PWD (B&R) ,  
Tehsil Complex, Phagwara, Distt. Kapurthala

...Respondents

## **Appeal Case No. 3060 of 2018**

**Present:** The Appellant, Sh. Baldev Krishan is absent.  
Sh. Gurpreet Kumar, Junior Engineer, o/o SDE, Const. Sub- Division, PWD (B&R),  
Tehsil Complex, Phagwara, is present on behalf of Respondent/PIO.

## **ORDER**

The case was last heard on 07.01.2019 and thereafter, the hearing fixed for 20.02.2019, was postponed to 22.02.2019.

On last date of hearing, the Appellant was absent without any intimation to the Commission.

Sh. Gurpreet Kumar, Junior Engineer had come present on behalf of the PIO/Respondent and had stated to have supplied the information by registered post but he had not produced any postal receipt in this regard. He had also not brought the Affidavit as was directed prior to the last hearing. PIO/Respondent was given last opportunity to submit affidavit that the information regarding Point No.2 did not relate to them or else to supply the information to the Appellant.

Since Sh. Baldev Krishan, Appellant had failed to come present in the Court for the 2<sup>nd</sup> consecutive time, he was given last opportunity to come present, otherwise the case would be decided in his absence. Both the parties were advised to come present on next date of hearing.

...1/2

**Appeal Case No. 3060 of 2018**

Today, the Appellant is absent but he has sent a request for adjournment of the case. On behalf of PIO/Respondent, Shri Jatinder Singh, Junior Engineer has come present. He states that the information has been provided to the Appellant. He refers to letter dated 18.12.2018 of Naib Tehsildar, Phagwara wherein it is stated that no Plan (Naqsha) of Car Parking and Scooter Parking has been prepared and is not available with their office.

The representative of PIO/Respondent also produces a letter dated 12.02.2019 addressed to Ld. Commissioner Shri Avtar Singh Kaler regarding case No.1234 of 2018 in which similar information had been asked for by the Appellant Shri Baldev Krishan. With this letter, an affidavit sworn by Sh.Jatinder Kumar, Sub Divisional Engineer, Construction Sub Division, PWD (B&R), Phagwara is enclosed to the effect that the attested copy of Plan (Naqsha) of Court Complex Phagwara has been supplied by PWD (B&R) to the appellant vide letter dated 16.07.2018 and regarding the plan of car/scooter parking, they had written to Tehsildar Phagwara. The letter is also supported by letter dated 18.12.2018 of Naib Tehsildar-cum-PIO stating that no Plan (Nasha) of Car/Scooter parking is available with their office as, at the time of allotting contract, no mention of any Plan(Naqsha) is made.

Sh.Baldev Krishan, Appellant is given last opportunity to come present in person, otherwise the case would be decided on merits. The case is adjourned to next date of hearing i.e. **15.04.2019 at 11.00 AM.**

Both the parties were advised to come present on next date of hearing.

Orders be given to both the parties.

**Dated: 22.02.2019**

**Sd/-  
(Sanjiv Garg)  
State Information Commissioner,  
Punjab**