



Sh. Manoj Kumar Gupta,
H No-2867-B, Sector-42-C,
Chandigarh.

... Complainant

Versus

Public Information Officer,
O/o Administrative Department,
Technical Education and Industrial Training (TE-1),
Mini Secretariat, Sector-9, Pb, Chandigarh.

...Respondent

Complaint Case No. 20 of 2019

PRESENT: None for the Complainant
Sh.Rashpal Singh, Sr. Assistant(RTI Branch) O/o Technical Education and
Industrial Training, Sector 36, Chandigarh for the Respondent

ORDER:

The complainant through RTI application dated 16.10.2018 has sought information regarding NOC issued to Sh.Manoj Kumar for obtaining passport and other information concerning the office of Administrative Department, Technical Education and Industrial Training (TE-1), Pb, Chandigarh. The complainant was not provided the information after which the complainant filed complaint in the Commission on 01.01.2019.

The respondent present pleaded that the information has been provided to the complainant and has submitted an acknowledgement of the complainant having received the information. However, since in the same letter, the complainant has asked for adjournment, the case is adjourned and the complainant is given one more opportunity to point out the discrepancies, if any.

To come up for further hearing on **03.06.2019 at 11.00 AM.**

Sd/-

Chandigarh
Dated 23.04.2019

(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Sh. Manoj Kumar Gupta,
H No-2867-B, Sector-42-C,
Chandigarh.

... Complainant

Versus

Public Information Officer,
O/o Director,
Technical Education and Industrial Training Punjab,
Plot No.1, Sector 36-A
Chandigarh.

...Respondent

Appeal Case No. 21 of 2019

PRESENT: None for the Complainant
Sh.Rashpal Singh, Sr. Assistant(RTI Branch) O/o Technical Education and Industrial Training, Sector 36, Chandigarh for the Respondent

ORDER:

The complainant through RTI application dated 16.10.2018 has sought information regarding NOC issued to Sh.Manoj Kumar for obtaining passport and other information concerning the office of Department of Technical Education and Industrial Training, Pb, Sector 36-A (Industrial Training Wing) Chandigarh. The complainant was not provided the information after which the complainant filed complaint in the Commission on 01.01.2019.

The respondent present pleaded that the information has been provided to the complainant and has submitted an acknowledgement of the complainant having received the information. However, since in the same letter, the complainant has asked for adjournment, the case is adjourned and the complainant is given one more opportunity to point out the discrepancies, if any.

To come up for further hearing on **03.06.2019 at 11.00 AM.**

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Sh. Sucha Singh, S/o Sh Mnagal Singh,
Village Gosainpur, P.O Pathinakot,

... Complainant

Versus

Public Information Officer,
O/o Deputy Commissioner-cum-Chairman,
Zila Parishad, Pathankot.

...Respondent

Complaint Case No. 27 of 2019

PRESENT: Sh.Sucha Singh as Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 25.09.2018 has sought information regarding cutting of safaida trees standing on Madhopur Road, Near Taj Garden and other information concerning the office of DC-cum-Chairman Zila Parishad, Pathankot. The complainant was not provided the information after which the complainant filed complaint in the Commission on 02.01.2019.

The Commission has received a letter diary No.8254 dated 22.04.2019 from the PIO stating that the information has been provided to the complainant. The complainant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Sd/-

Chandigarh
Dated 23.04.2019

(Khushwant Singh)
State Information Commissioner



Sh. Manoj Sharma, S/o Sh Avinash Sharma,
Shankar colony, Opposite Roop Lal Puri Mandir,
Salaria Nagar, Pathankot

... Complainant

Versus

Public Information Officer,
O/o EO, Municipal Corporation,
Pathankot.

...Respondent

Complaint Case No. 31 of 2019

PRESENT: Sh.Avinash Sharma father of Sh.Manoj Kumar for the Complainant
Sh.Kirandeep Singh, Bulding inspector O/o EO, MC Pathankot

ORDER:

The complainant through RTI application dated 02.09.2011 has sought information regarding ownership of vacant land in the south side of house of Bimla Devi w/o Ramesh Guleria R/o Shankar Colony, Opp Roop Lal Puri Mandir Pathankot and other information concerning the office of EO MC Pathankot. The complainant was not provided the information after which the complainant filed complaint in the Commission on 02.01.2019.

The Commission observes that the appellant had filed RTI application on 02.09.2011 and has come to the Commission on 01.01.2019 i.e. after 7 years which is time barred under section 19 of the RTI Act 2005 which reads as under:

19. (1) Any person who, does not receive a decision within the time specified in sub-section (1) or clause (a) of sub-section (3) of section 7, or is aggrieved by a decision of the Central Public Information Officer or the State Public Information Officer, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or the State Public Information Officer, as the case may be, in each public authority: Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) Where an appeal is preferred against an order made by a Central Public Information Officer or a State Public Information Officer, as the case may be, under section 11 to disclose third party information, the appeal by the concerned third party shall be made within thirty days from the date of the order.

(3) A second appeal against the decision under sub-section (1) shall lie within ninety days from the date on which the decision should have been made or was actually received, with the Central Information Commission or the State Information Commission: Provided that the Central Information Commission or the State Information Commission, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

The case is **disposed off and closed.**

Chandigarh
Dated 23.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Himanshu Raj, C/o Law Office of Himanshu Raj,
102, Sector-10-A, Chandigarh.

... Complainant

Versus

Public Information Officer,
O/o Jalandhar Development Authority,
Jalandhar.

...Respondent

Complaint Case No. 32 of 2019

PRESENT: Ms.Sapna Randhawa, advocate for the complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 11.03.2018 has sought information 12 points regarding Air Force Naval Housing Board, Jalandhar scheme at Jal Vayu Vihar, Ner Adarsh Nagar, Jalandhar and other information concerning the office of JDA Jalandhar. The complainant had filed the RTI application to PUDA Mohali which transferred it to JDA Jalandhar vide letter dated 05.04.2019. The PIO denied the information vide letter dated 14.06.2018 stating that since the information is third party and the third party has not given its consent, it cannot be provided, after which the complainant filed complaint in the Commission on 02.01.2019.

The respondent is absent. The advocate representing the complainant has requested for adjournment.

The case is adjourned. To come up for further hearing on **03.06.2019 at 11.00 AM.**

Sd/-

Chandigarh
Dated 23.04.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Himanshu Raj, C/o Law Office of Himanshu Raj,
102, Sector-10-A, Chandigarh.

... Complainant

Versus

Public Information Officer,
O/o Jalandhar Development Authority,
Jalandhar.

...Respondent

Complaint Case No. 33 of 2019

PRESENT: Ms.Sapna Randhawa, advocate for the compainant
None for the Respondent

ORDER:

The complainant through RTI application dated 11.03.2018 has sought information 12 points regarding Air Force Naval Housing Board, Jalandhar scheme at Jal Vayu Vihar, Ner Adarsh Nagar, Jalandhar and other information concerning the office of JDA Jalandhar. The complainant filed the RTI application to the PIO O/o Chief Secretary Pb Chandgarh which transferred it to JDA Jalandhar on 04.04.2018. The PIO denied the information vide letter dated 14.06.2018 stating that the information is third party and the third party has not given its consent, it cannot be provided, after which the complainant filed complaint in the Commission on 02.01.2019.

The respondent is absent. The advocate representing the complainant has requested for adjournment.

The case is adjourned. To come up for further hearing on **03.06.2019 at 11.00 AM.**

Chandigarh
Dated 23.04.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Dharam Pal, S/o Sh Puran Chand,
Quarter No-6/24, Housing Board Colony Camp,
Dhangu Peer, Pathankot.

... Complainant

Versus

Public Information Officer,
O/o Estate Officer,
Amritsar Development Authority,
Amritsar.

...Respondent

Complaint Case No. 37 of 2019

PRESENT: Sh.Naresh Bhatia representative for the Complainant
Sh.Hardeep Singh, Sr.Assistant O/o ADA Amritsar for the Respondent

ORDER:

The complainant through RTI application dated 22.10.2018 has sought information regarding notices issued to the shopkeepers on the road outside Housing Board Colony Camp Pathankot on 11.01.2018, 16.01.2018 and others alongwith their business and and other information concerning the office of EO ADA Amritsar. The complainant was not provided the information after which the complainant filed complaint in the Commission on 02.01.2019.

The respondent present pleaded that the information has been provided to the complainant on 05.04.2019 and a copy of the same sent to the Commission. The complainant is not satisfied and claims that the PIO has not provided the information as per the RTI application.

The PIO is directed to relook at the RTI application and provide the information within 15 days. The PIO is also directed to explain the reasons for delay in attending to the RTI application within the time prescribed under the RTI Act.

The case is adjourned. Both the parties to be present on **03.06.2019 at 11.00 AM.**

Sd/-

Chandigarh
Dated 23.04.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO,
Construction Sub Division, PWD B&R,
Tarn Taran.

First Appellate Authority,
O/o SE, Construction Circle,
PWD B&R, Amritsar

...Respondent

Appeal Case No. 213 of 2019

PRESENT: None for the Appellant
Sh.Sharanjit Singh, Asstt.Engineer for the Respondent

ORDER:

The appellant through RTI application dated 03.10.2018 has sought information regarding works undertaken/carried out during 01.10.2017 to 01.10.2018 and other information concerning the office of SDO Construction Sub Division, PWD (B&R) Tarn Tarn. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 05.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 04.12.2018 and has submitted a document that the appellant has received the information. However, the appellant is absent to point out the discrepancies, if any. The appellant is given one more opportunity to point out the discrepancies, if any and be present on the next date of hearing.

The case is adjourned. To come up on **03.06.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 23.04.2019

(Khushwant Singh)
State Information Commissioner

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Visit us: - www.infocommpunjab.com



Sh. Yogesh Mahajan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o SDO,
Construction Sub Division No-2,
PWD B&R, Bathinda..

First Appellate Authority,
O/o SE, PWD B&R,
Construction Circle, Bathinda.

...Respondent

Appeal Case No. 214 of 2019

PRESENT: None for the Appellant
Sh.Sandeep Kumar, Clerk O/o SDO Construction Sub Division No.2
PWD(B&R) Bhatinda for the Respondent

ORDER:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO Construction Sub Division No-2, PWD (B&R) Bhatinda. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 23.10.2018 and has submitted a copy to the Commission. However, since the appellant has filed second appeal with the Commission on 03.11.2018 that he has not received the information, the respondent is directed to resend the information to the appellant through registered post within 2 days. The appellant is given one more opportunity to point out the discrepancies, if any and be present on the next date of hearing.

The case is adjourned. To come up on **03.06.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 23.04.2019

(Khushwant Singh)
State Information Commissioner

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Sh. Yogesh Majahan, S/o Sh Kuldeep Raj Mahajan,
Opposite Water Tank Municipal Market,
Mission Road, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o Sub Division Officer,
Construction sub Division No-2,
PWD B&R, Sangrur.

First Appellate Authority,
O/o SE,
PWD B&R Circle, Sangrur.

...Respondent

Appeal Case No. 215 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 01.10.2018 has sought information regarding works undertaken/carried out during 02.10.2017 to 01.10.2018 and other information concerning the office of SDO Construction Sub Division No.2, PWD (B&R) Sangrur. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 03.11.2018 which took no decision on the appeal.

Since both the parties are absent, in the interest of justice, one more opportunity is granted and the case is adjourned. The PIO is directed to provide the information to the appellant within 15 days and send a compliance report to the Commission.

Both the parties to be present on **03.06.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated 23.04.2019

(Khushwant Singh)
State Information Commissioner



Sh. Tejinder Singh,
R/o Village Bholapur, P.O Ramgarh,
Chandigarh Road, Ludhiana.

....Appellant.

Versus

Public Information Officer,
SDM, Licensing Authority & Registering,
Sri Anandpur Sahib.

First Appellate Authority,
DC,
Ropar.

...Respondent

Appeal Case No. 1325 of 2018

Present: None for the Appellant
 Sh.Gurpal Singh, APIO-STC Punjab, and Sh.Davinder Kumar PIO-STC, Punjab
 Chandigarh for the Respondent

ORDER:

The case was first heard on **25.06.2018**. The PIO was directed to forward the RTI application relating to point No.4, 5 & 9 to the concerned department and PIO of that department was directed to provide the information to the appellant and be present on the next date of hearing. “

The case was again heard on **01.08.2018**: The PIO was directed to provide the information relating to point No.4 as per original order. The PIO, STC was also directed to provide the information concerning them and to appear on the next date of hearing.

The case again came up for hearing on **05.09.2018**: The respondent present from the office of SDM (Licensing and Registering Authority) pleaded that the information regarding point No.4 has been sent to the appellant. The APIO from State Transport Commission had not brought the information regarding point No.9 as according to him there was no clarity about which sub-division the information was sought. However, since it was clear that the information sought is concerning Anandpur Sahib, the PIO was directed to send the information regarding point No.9 to the appellant within 10 days of the receipt of the orders of the Commission.

The case was again heard on **09.10.2018**. The appellant was absent and vide e-mail informed that he has not received the remaining information.

The respondent present pleaded that the information pertains to the Anandpur Sahib. It was observed that the PIO is dilly dallying in providing this particular information and therefore, the PIO, STC, Punjab was directed to coordinate and collect the information from the concerned department and send the same to the appellant within 15 days through registered post. The PIO was also directed to send the compliance report to the Commission.

The case further case for hearing on **21.11.2018**. The respondent from the O/o STC Punjab pleaded that the information regarding point No.9 has been sent to the appellant vide letter dated 26.10.2018 and the appellant has also been informed that there is no driving test track in Sub Division Anandpur Sahib and the driving test track is available in Ropar. The PIO was directed to collect the information regarding driving track tests undertaken by the residents of ShriAnandpurSahib from the concerned division and provide the same to the appellant .

Appeal Case No. 1325 of 2018

The case was again heard on **15.01.2019**. The appellant informed that the information has not been provided. The respondent was absent. The Commission took a serious view of the scant regard of the PIO and directed the PIO-STC Punjab Chandigarh to provide the information to the appellant as per earlier order of the Commission within 10 days otherwise the Commission will be constrained to take action as per RTI Act.

The case was last heard on **11.03.2019**. The order is reproduced hereunder:

“The respondent present from STC Punjab informed that the information has been provided to the appellant. The appellant is not satisfied and stated that he has sought information regarding driving tracks test record. The respondent further pleaded that the information is available with the office of SDM Ropar. The PIO-STC, Punjab is directed to coordinate and procure the record from the concerned authority and provide the information to the appellant.

The Commission observes that there is ambiguity regarding the custody of the record. The PIO-SDM, Ropar and the PIO-SDM Anandpur Sahib are also directed to coordinate and send complete record to the PIO-STC, Punjab for compliance and PIO-STC is directed to provide the information in CD to the appellant before the next date of hearing.”

Hearing dated 23.04.2019:

The appellant is absent and has sought exemption. The appellant vide letter received in the Commission on 22.04.2019 has informed that the PIO-SDM Anandpur Sahib has provided incomplete information and the PIO-SDM Ropar has not provided the information.

The respondent present from the office of STC, Punjab pleaded that the PIO-SDM Ropar is not cooperating in providing the information inspite of directions of the Commission as well as to their oral commutation to procure the same. The PIO-SDM Ropar is impleaded in the case and directed to provide the information before the next date of hearing as per earlier order which still stands otherwise the Commission will be constrained to issue show cause and act as per the provisions of the RTI Act.

The case is adjourned. To come up for further hearing on **04.06.2019 at 11.00 AM** for further hearing.

Sd/-

Chandigarh
Dated: 23.04.2019

(Khushwant Singh)
State Information Commissioner

CC to: - PIO, STC Punjab, Chandigarh
- PIO-SDM, Ropar.

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Sh. Tejinder Singh,
Village Bholapur, P.O Ramgarh,
Chandigarh Road, Ludhiana.

Appellant.

Versus

Public Information Officer,
O/o SDM, Licensing & Registration Authority,
Kapurthala.

First Appellate Authority,
O/o DC, Kapurthala

...Respondent

Appeal Case No. 1657 of 2018

Present: **None for the Appellant**
 None for the Respondent

ORDER: The case was first heard on 21.08.2018. The respondent present pleaded that the appellant was asked vide letter dated 28.12.2017 to specify the category of license for which the information was sought but the appellant has not responded the letter. The appellant pleaded that instead providing information, he has been asked for the purpose of seeking information in violation of the provisions of the RTI Act.

The PIO was directed to provide the point-wise information to the appellant and explain the rationale behind asking the purpose of information u/s 6(2) of the RTI Act."

The case was again heard on **15.10.2018**. The appellant was absent and sought adjournment. Vide email, the appellant further informed that the information has not been provided to him by the PIO.

The respondent was also absent and vide letter received in the Commission on 12.10.2018, the PIO sought adjournment. In the letter, the PIO also mentioned that since the information pertains to STC Punjab, Chandigarh, they have already written to them vide letter dated 27.09.2018 to provide the information but this office has not received the information from them. The PIO was directed to comply with the earlier orders of the Commission which still stands and be present on the next date of hearing.

The case again came up for hearing on **21.11.2018**. The appellant informed that information has not been provided to him. The respondent was absent. Since in a communication, the PIO had mentioned that some information pertains to STC, Punjab, Chandigarh, the PIO-SDM (Licensing & Registration Authority) Kapurthala was made as deemed PIO and was directed to provide all the information point-wise and if the information pertains to any other department, it is the responsibility of the PIO,SDM Kapurthala to collect and provide to the appellant.

The case was again heard on **15.01.2019**. The respondent was absent. The Commission received a letter dated 11.01.2019 from the PIO stating that the information concerning to them has been provided to the appellant vide letter dated 08.01.2019 and for information regarding points 2 to 5, the PIO-STC Punjab, Chandigarh was asked vide letter dated 27.09.2018 to provide the information, but they did not respond.

The appellant claimed that since the website of the department can only be accessed via a password, the information regarding point 7 cannot be downloaded. The appellant was not satisfied with the reply of the PIO regarding point-9 and wanted the information in CD/Pen Drive.

Since the PIO-SDM Kapurthala at the hearing on 21.11.2018 was made as deemed PIO, the PIO –SDM, Kapurthala was directed to clarify regarding point 7 and provide the information regarding point 9 in CD/Pen-drive. The PIO-STC, Punjab, Chandigarh was also made a party to the case and was directed to bring the information regarding points 2 to 5 on the next date of hearing.

The case was last heard on **11.03.2019**. The order is reproduced hereunder:

“The respondent present from the office of SDM Kapurthala has brought a Pen Drive regarding information relating to point-9 and handed over to the appellant. The point 7 also stands clarified. The respondent present from the office of STC Punjab pleaded that they have not received the copy of RTI application. The copy of RTI application has been provided to the APIO-STC. The PIO-STC is directed to provide the information regarding points 2 to 5 within 15 days.”

Hearing dated 23.04.2019:

The appellant is absent and has sought exemption. The appellant vide letter received in the Commission on 22.04.2019 informed that the PIO –SDM Kapurthala has provided the information but with a delay of one year and three months.

The respondent is absent to plead the case. The case is adjourned.

To come up for further hearing on **04.06.2019 at 11.00 AM**.

Chandigarh
Dated: 23.04.2019.

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-STC, Punjab, Sector 17, Chandigarh