

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



Jaspal Singh

S/o Sh. Surjit Singh,
House no. 157, Street No. 8-A,
Manjit Nagar, Bhadson Road,
Patiala-147001(Punjab)

....Appellant

V/s

Public Information Officer,

(Regd. Post) O/o The Managing Director,
PEPSU Road Transport Corporation,
Patiala(Punjab)

First Appellate Authority,

O/o The Managing Director,
PEPSU Road Transport Corporation,
Patiala(Punjab)

...Respondents

Appeal Case No. 1213 of 2019

Present : Sh. Jaspal Singh, the appellant in person.
None on behalf of the respondent.

ORDER

This case was last heard on 25.06.2019 and the respondent-PIO was directed to supply certified copies of the required information to the appellant as per queries raised by him through his RTI request, through registered post and submit a copy of the postal receipt, through which information would be sent to the Appellant, in the Commission.

The appellant, Sh. Jaspal Singh, who appeared in person in today's hearing, orally states that no information has been supplied to him by the respondent PIO so far. He also alleges that the respondent PIO is harassing him deliberately and causing the delay in supplying the requisite information to him.

Neither the respondent PIO nor any of his representative is present in today's hearing. He has also not sent any intimation regarding his non-availability. The Commission took a serious view of this casual approach of the Respondent/PIO.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer of office of Managing Director, PEPSU Road Transport Corporation, Patiala, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant under the provisions of the RTI Act, 2005.

The PIO is also hereby given an opportunity under Section 20(1) provision, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next 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. A copy of this order be sent to him through registered post.

Another opportunity is also given to the respondent PIO concerned to supply the certified copies of the required information to the appellant through registered post at his residential address before the next date of hearing and produce a copy of the postal receipt, through which information would be sent to the appellant, before the Commission on the next date of hearing.

An opportunity is also given to the appellant to confirm whether he has received the information (which would be supplied by respondent PIO) or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned. He is also advised to represent his case in person or through his representative on the next date of hearing.

The case is **adjourned to 11th September, 2019 (Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 24th July,2019

**(Sanjiv Garg)
State Information Commissioner
Punjab**

PUNJAB STATE INFORMATION COMMISSION

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



K. K. Bhandari S/o Sh. Hans Raj,
3661, Sector 46 – C, Chandigarh

...Appellant

Versus

Public Information Officer,
O/o The Secretary,
Punjab School Education Board,
Vidhya Bhawan, P.S.E.B. Complex,
Sector 68, S.A.S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Secretary,
Punjab School Education Board,
Vidhya Bhawan, P.S.E.B. Complex,
Sector 68, S.A.S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 2777 of 2018

Present : None on behalf of the appellant.

- i) Ms. Sukhwinder Kaur, Senior Legal Advisor-cum-PIO, in person ;
- ii) Ms. Baljinder Kaur, Assistant Secretary-cum-APIO(Certificate Branch) ;
- iii) Sh. Lakhi Ram, Superintendent (Certificate Branch);
- iv) Sh. Jagdish Singh, Restorer (Certificate Branch), on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and the respondent PIO was directed to supply the certified copies of the requisite information to the Appellant through registered post and also appear in person along with the postal receipt. If any information is not available in the official record then the respondent PIO concerned will file a reply, in writing, in an affidavit.

Ms. Sukhwinder Kaur, Senior Legal Advisor-cum-PIO, who appeared in person alongwith Ms. Baljinder Kaur, Assistant Secretary-cum-APIO ; Sh. Lakhi Ram, Superintendent and Sh. Jagdish Singh, Restorer (all above-mentioned officials of Certificate Branch), who appeared in today's hearing, orally state that a letter was received in office of the respondent, signed by the appellant, Sh. K. K. Bhandari, requesting that his appeal may be closed.

After examining the documents placed on record, it is found that the appellant, Sh. K. K. Bhandari through letter dated 07.06.2019 signed by himself, which has been received in the Commission vide Diary No. 11231 dated 10.06.2019, has intimated the Commission that he is unable to attend today's hearing. Through that letter, he has also intimated the Commission that in a hearing, held on 28.05.2019, Hon'ble Additional Sessions Judge, Mohali, has granted him an opportunity for seeking record from office of Punjab School Education Board, Mohali and hence, he has requested the Commission that this appeal may be closed. It is taken on record.

As no cause of action is left in this case, the case is **disposed of and closed.**
Copies of the orders be sent to the parties.

Date : 24th July,2019

(Sanjiv Garg)
State Information Commissioner
Punjab

Manjinder Singh,
#2469, Sunny Enclave, Sector 125, Kharar,
Distt. Mohali-140301(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Secretary,
Regional Transport Authority,
Bathinda (Punjab)

First Appellate Authority,
O/o The State Transport Commissioner, Pb.,
Sector 17, Chandigarh

...Respondents

Appeal Case No. 1061 of 2019

Present : Sh. Manjinder Singh, the appellant in person.
Sh. Tejinder Singh, Advocate, on behalf of the respondent.

ORDER

This case was last heard on 25.06.2019 and the respondent PIO concerned was directed to supply the certified copies of the required information in connection with point no. 01 by mentioning total number of vehicles challaned in above mentioned months ; in connection with point no. 02 by mentioning registration numbers and class of vehicles ; in connection with point no. 03 by mentioning the sections under which vehicles were challaned and at point no. 04 of the RTI request by mentioning amount of penalty recovered with monthly details, to the appellant.

Sh. Tejinder Singh, Advocate, who appeared on behalf of the respondent PIO in today's hearing, submits a reply vide letter no. 1834 dated 11.07.2019, showing that in response to the RTI request, the available information has been sent to the appellant, Sh. Manjinder Singh through registered post and rest of the information is creation of information. It is taken on record.

The appellant, Sh. Manjinder Singh, who appeared in person in today's hearing, orally states that whatever information has been given to him is incomplete, moreover, not certified.

After examining the documents placed on record, it is found that vide orders dated 25.06.2019, the respondent PIO was directed to supply the required information to the appellant regarding details of Challans of the vehicles done by office of Secretary, Regional Transport Authority, Bathinda of three months i. e. January, 2018 February, 2018 and March, 2018.

As the information sought for by the appellant through his RTI request is very specific and the respondent PO has not supplied complete information to the appellant till date as ordered on 25.06.2019, hence, last opportunity is given to the respondent PIO to supply the certified copies of the complete information to the appellant as available in the official record by registered post before the next date of hearing and submit a copy of the postal receipt, through which information would be sent to the Appellant, on the next date of hearing.

The case is **adjourned to 23rd September, 2019 (Monday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 24th July,2019

**(Sanjiv Garg)
State Information Commissioner
Punjab**

Tejinder Singh, Advocate

Vill. Bholapur, PO Ramgarh
Chd. Road, District - Ludhiana 141123(Punjab)

....Appellant

V/s

Public Information Officer,

O/o The State Transport Commissioner, Punjab
Sector-17, Chandigarh

First Appellate Authority,

O/o The State Transport Commissioner, Punjab
Sector-17, Chandigarh

...Respondents

Appeal Case No. 69 of 2019

Present : Sh. Tejinder Singh, Advocate, the appellant in person.
Sh. Gurpal Singh, APIO, on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and the respondent PIO was directed to supply the requisite information to the Appellant through registered post and also directed to represent this case by appearing in person or through his representative alongwith postal receipt, through which information would be sent to the Appellant. The Appellant was also advised to point out deficiencies, if any, in the information supplied, to the respondent PIO through registered post, with a copy to the Commission.

Sh. Gurpal Singh, APIO, who appeared on behalf of the respondent PIO in today's hearing, orally states that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Tejinder Singh vide letter no. 4071 dated 15.07.2019 through registered post .

After examining the documents placed on record, it is found that appellant, Sh. Tejinder Singh, Advocate through a letter dated 22.06.2019, which has been received in the Commission through an e-mail, has acknowledged that he has received the requisite information and satisfied with the information supplied and will have no objection if the case is closed today itself. It is taken on record.

The appellant, Sh. Tejinder Singh, Advocate, who appeared in person in today's hearing, also through a letter dated 24.07.2019, has acknowledged that he has received the requisite information and satisfied with the information supplied and asked for filing of his case. It is taken on record.

Since the information stands supplied, the case is **disposed of and closed.**

Copies of the orders be sent to the parties.

Date : 24th July,2019

(Sanjiv Garg)
State Information Commissioner
Punjab



Tejinder Singh, Advocate

Vill. Bholapur, PO Ramgarh
Chd. Road, District - Ludhiana 141123(Punjab)

....Appellant

V/s

Public Information Officer,

O/o The State Transport Commissioner, Punjab
Sector-17, Chandigarh

First Appellate Authority,

O/o The State Transport Commissioner, Punjab
Sector-17, Chandigarh

...Respondents

Appeal Case No. 78 of 2019

Present : Sh. Tejinder Singh, Advocate, the appellant in person.
Sh. Gurpal Singh, APIO, on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and Sh. Sham Lal, PIO had submitted a letter no. 4055/15114 dated 28.05.2019 along with letter no. 14872 dated 24.05.2019 through which it was intimated that a reply has already been sent to the appellant, intimating him that the status report in this case is still pending. Further, the respondent PIO was directed to supply the requisite information to the Appellant through registered post and also directed to represent this case by appearing in person or through his representative alongwith postal receipt, through which information would be sent to the Appellant. The Appellant was also advised to point out deficiencies, if any, in the information supplied, to the respondent PIO through registered post, with a copy to the Commission.

The appellant, Sh. Tejinder Singh, Advocate, who appeared in person in today's hearing, orally states that no information has been supplied to him by the respondent PIO so far.

Sh. Gurpal Singh, APIO, who appeared on behalf of the respondent PIO in today's hearing, orally states that a reply has already been sent to the appellant, Sh. Tejinder Singh intimating him that a letter has been sent by office of State Transport Commissioner, Punjab, Chandigarh to Secretary, Regional Transport Authority, Ludhiana, for comments and the status report in this case is still pending.

The respondent-PIO is directed to file a written reply in response to the queries raised by the appellant through RTI request as per official record, intimating the reasons of delay in supplying the status report to the appellant, by or on the next date of hearing.

The case is **adjourned to 30th September, 2019 (Monday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 24th July, 2019

**(Sanjiv Garg)
State Information Commissioner
Punjab**

Ms. Gursimran Kaur
W/o Sh. Rajinder Singh
#836, MIG Jamalpur Colony
Ludhiana (Punjab)

....Complainant

V/s

Public Information Officer,
O/o The Secretary,
Regional Transport Authority,
Ferozpur (Punjab)

...Respondents

Complaint Case No. 01 of 2019

Present : Sh. Tejinder Singh, Advocate, on behalf of the appellant.
None on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and the PIO Respondent was advised to supply the requisite information through registered post to the Complainant and also directed to represent this case by appearing in person or through his representative alongwith postal receipt, through which information would be sent to the Appellant. The Complainant was also advised to point out deficiencies, if any, in the information supplied, to the respondent PIO through registered post, with a copy to the Commission.

Sh. Tejinder Singh, Advocate, who appeared on behalf of the complainant, Ms. Gursimran Kaur, in today's hearing, orally states that no information has been supplied to the Complainant by the respondent PIO so far.

Neither the respondent PIO nor any of his representative is present in today's hearing.

After examining the documents placed on record, it is found that on the hearing, held on 22.04.2019, a show-cause notice was issued to Public Information Officer of office of Secretary, Regional Transport Authority, Ferozpur and neither the respondent PIO concerned has not sent any intimation regarding his non-availability before the Commission nor he has sent any reply to show cause notice issued to him vide orders dated 22.04.2019. The Commission took a serious view of this casual approach of the Respondent/ PIO.

After examining the documents placed on record, it emerges that the RTI request filed by the complainant is dated 23.08.2018 and requisite information has not been supplied by the respondent PIO to the information seeker even after a period of nine months, which reflects that the respondent PIO concerned is harassing the complainant deliberately and causing the delay in supplying the requisite information to her.

For holding guilty of violation under Section 20 (1) as per provisions of the RTI Act and for making delay more than 250 days in supplying the requisite information to the information-seeker, a penalty of Rs. 2500/- (Rupees Twenty Five Hundred Only) is imposed upon the concerned Public Information Officer of office of Secretary, Regional Transport Authority, Ferozpur.

The amount of penalty to be deposited in the Treasury of Punjab Government under the head.....

Major Head .. 0070 -Other Administrative Services
Subj-Major Head .. 60 - Other Services
Minor Head .. 800 - Other Receipts
Sub-Head .. 86 - Fee under the Right to Information Act, 2005
Detailed Head .. 0070 Other Administrative Services
60 Other Services- 800- Other Receipts-
86- Fees under the Right to Information Act, 2005

And a copy of challan receipt be submitted to the Commission by or on the next date of hearing.

A copy of this order be sent to the State Transport Commissioner, Punjab, Chandigarh through registered post to ensure compliance of the abovesaid order.

The case is **adjourned to 30th September, 2019 (Monday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 24th July,2019

**(Sanjiv Garg)
State Information Commissioner
Punjab**

(Regd. Post)

**The State Transport Commissioner, Punjab
Sector-17, Chandigarh**

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



Harjit Singh Dhillon

S/o Late S.Gurbax Singh
4072/3, Gobind Colony
Jamalpur, Ludhiana (Punjab)

...Appellant

V/s

Public Information Officer,

O/o The Zonal Commissioner,
Municipal Corporation, Zone-B
Ludhiana (Punjab)

First Appellate Authority

O/o The Commissioner,
Municipal Corporation
Ludhiana (Punjab)

...Respondents

Appeal Case No. 66 of 2019

Present : Sh. Harjit Singh Dhillon, the appellant in person.
Sh. Karan Pathak, Junior Draftsman, on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and the respondent PIO was directed to supply the requisite information to the Appellant positively through registered post and if any information is not available in the office, then the respondent PIO will file a proper reply in the form of an affidavit signed by himself, explaining the reason by which the information couldn't be given to the Appellant till date. The Appellant was also advised to go through the requisite information and point out deficiencies, if any, to the respondent PIO through registered post, with a copy to the Commission.

Sh. Karan Pathak, Junior Draftsman, who appeared on behalf of the respondent PIO in today's hearing, submits a reply vide letter no. 654 dated 15.07.2019 signed by Public Information Officer-cum-Assistant Town Planner, Municipal Corporation, Zone-B, Ludhiana, showing that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Harjit Singh Dhillon vide letter no. 653 dated 15.07.2019. On that reply, the complainant has also put his signatures on 15.07.2019 as an acknowledgement of having received the requisite information. It is taken on record.

The appellant, Sh. Harjit Singh Dhillon, who appeared in person in today's hearing, orally states that he has received the documents given by the respondent PIO but after going through the documents, he found that incomplete information has been given to him by the respondent PIO.

Contd...2/-

The respondent-PIO concerned is directed either to supply the certified copies of the required information to the appellant as per queries raised by him through his RTI request, by or on the next date of hearing. If any information is not available in the official record, he/she (respondent-PIO concerned) will file a written reply in the shape of an affidavit, stating that whatever information is available in the official record, has been supplied to the appellant and no other information apart from the information supplied, is available in the official record. A copy of this order be sent to him through registered post.

The case is **adjourned to 30th September, 2019 (Monday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 24th July,2019

**(Sanjiv Garg)
State Information Commissioner
Punjab**

(Regd. Post)

**The Public Information Officer
-cum-Assistant Town Planner,
O/o The Commissioner,
Municipal Corporation, Zone-B,
Ludhiana (Punjab)**

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



Harjit Singh Dhillon S/o Late S.Gurbax Singh

4072/3, Gobind Colony

Jamalpur, Ludhiana (Punjab)

....Appellant

V/s

Public Information Officer,

O/o The Zonal Commissioner,

Municipal Corporation, Zone-B

Ludhiana (Punjab)

First Appellate Authority

O/o The Commissioner,

Municipal Corporation, Ludhiana (Punjab)

...Respondents

Appeal Case No. 97 of 2019

Present : Sh. Harjit Singh Dhillon, the appellant in person.

Sh. Karan Pathak, Junior Draftsman, on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and the respondent PIO was directed to supply the requisite information to the Appellant positively through registered post and submit the postal receipt, through which information would be sent to the Appellant on the fixed date of hearing. The Appellant was advised to go through the requisite information and point out deficiencies, if any, in the information supplied to the respondent PIO through registered post, with a copy to the Commission.

Sh. Karan Pathak, Junior Draftsman, who appeared on behalf of the respondent PIO in today's hearing, orally that in response to the RTI request, the requisite information has been given to the appellant, Sh. Harjit Singh Dhillon.

The appellant, Sh. Harjit Singh Dhillon, who appeared in person in today's hearing, orally states that he has received all the documents given by the respondent PIO except information regarding passed Site Plan for Basement, demanded by him at point no. (A) of his RTI request.

The respondent-PIO concerned is directed to supply the certified copies of the remaining information at point no. (A) of the RTI request to the appellant by or on the next date of hearing positively. A copy of this order be sent to him through registered post.

The case is **adjourned to 30th September, 2019 (Monday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

(Sanjiv Garg)

**State Information Commissioner
Punjab**

Date : 24th July, 2019

(Regd. Post)

**The Public Information Officer
-cum-Assistant Town Planner,
O/o The Commissioner,
Municipal Corporation, Zone-B,
Ludhiana (Punjab)**

PUNJAB STATE INFORMATION COMMISSION

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



Jaspal Singh,

S/o Sh. Pritam Singh

R/o # XXVI-585, Model Gram

Ludhiana (Punjab)

...Appellant

V/s

Public Information Officer,

O/o The Commissioner

Municipal Corporation, Zone-D,

Ludhiana (Punjab)

First Appellate Authority,

O/o The Commissioner,

Municipal Corporation, Zone-D,

Ludhiana (Punjab)

...Respondents

Appeal Case No. 102 of 2019

Present : Sh. Jaspal Singh, the appellant in person alongwith Ms. Deepti Saluja, Advocate.
Sh. Rajeev Bhardwaj, Superintendent-cum-PIO(Non-Technical), Zone - D, in person,

ORDER

This case was last heard on 28.05.2019 and the respondent PIO was directed to file an affidavit signed by the concerned PIO, explaining the statements made by Sh. Rajeev Bhardwaj during the proceedings of the Court on 28.05.2019, before the fixed date of hearing.

The appellant, Sh. Jaspal Singh, appeared in person alongwith Ms. Deepti Saluja, Advocate in today's hearing.

Sh. Rajeev Bhardwaj, Superintendent-cum-PIO(Non-Technical), Zone - D, who appeared in person in today's hearing, submits a point-wise reply dated 19.07.2019 signed by himself in an affidavit duly attested by the Notary Public Ludhiana, stating that the appellant has demanded information regarding TS-1 of Property No. B-26-585, Ludhiana and the information could not be supplied to the appellant as a court case was pending, similarly, Smt. Baljinder Kaur and her daughter Smt. Harpreet Kaur (Joint Holders of the said Property) have refused to supply any kind of information to anyone and regarding property tax, the information has been supplied to the appellant. It is taken on record.

After hearing both the parties concerned, after going through the queries raised by the appellant, Sh. Jaspal Singh through RTI request and also after going through the contents of the reply given in an affidavit by the respondent PIO concerned during the hearing, it is found that no cause of action is left in the instant appeal case, hence, the case is **disposed of and closed.**

Copies of the orders be sent to the parties.

Date : 24th July,2019

(Sanjiv Garg)
State Information Commissioner
Punjab

Navdeep Gupta

Kothi No. 455, Gilco Velley,
Kharar, Distt. Mohali (Punjab)

....Applicant

Versus

Public Information Officer,
O/o Block Development and
Panchayat Officer,
Kot Isse Khan,
Distt. Moga (Punjab)

...Respondents

Complaint Case No. 442 of 2018

Present : None on behalf of the appellatant.

- i) Sh. Sukhwinder Singh, B. D. P. O, in person ;
- ii) Sh. Jagdeep Singh, Assistant Project Officer, for the respondent.

ORDER

This case was last heard on 28.05.2019 and despite giving several opportunities to the concerned Public Information Officer office of Block Development & Panchayat Officer, Kot Isse Khan, Distt. Moga, he had failed to appear in this case before the Commission or to send the proof of depositing the penalty, which was imposed upon him on 14.01.2019 and accordingly, a copy of the order dated 28.05.2019 was sent to the Senior Superintendent of Police, Moga through registered post to ensure the presence of the concerned PIO before the Commission on the fixed date of hearing.

The appellatant, Sh. Navdeep Gupta, is not present in today's hearing.

Sh. Sukhwinder Singh, B. D. P. O, who appeared in person alongwith Sh. Jagdeep Singh, Assistant Project Officer, in today's hearing, submits a letter no. 138 dated 22.07.2019, showing that penalty amount of Rs. 2000/- (which was imposed vide orders dated 14.01.2019) has been deposited in the Treasury, appended to which is a photostat copy of the receipt challan. It is taken on record.

Since the orders passed by the Commission has been complied with, the case is **disposed of and closed.**

Copies of the orders be sent to the parties.

Date : 24th July, 2019

(Sanjiv Garg)
State Information Commissioner
Punjab

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



Gurdeep Singh Dhingi S/o Sh. Harnam Singh,
R/o Block No 1, House No. 390,
Dharampura Mohalla, Dhuri,
Distt. Sangrur(Punjab)

... Appellant

Versus

Public Information Officer,
O/o The Divisional Forest Officer,
Roopnagar(Punjab)

First Appellate Authority,
O/o The Conservator of Forests, Pb.,
Forest Complex, Sector 68,
Shivalik Circle, PB, Mohali (Punjab)

... Respondents

Appeal Case No. 1385 of 2018

Present : None on behalf of the appellant .
None on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and the Respondent PIO was directed to supply complete information to the Appellant, by registered post and produce the postal receipt in the Commission, through which information would be sent to the Appellant, on the fixed date of hearing. The Appellant was also advised to go through the requisite information and point out deficiencies, if any, in writing, to the Respondent PIO through registered post, with a copy to the Commission.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 2478-79 dated 12.06.2019 signed by Divisional Forest Officer, Roopnagar, which has been received in the Commission vide Diary No. 11908 dated 20.06.2019, has intimated the Commission that the requisite information of seniority list has been supplied to the appellant, Sh. Gurdeep Singh Dhingi vide letter dated 12.06.2019. It is taken on record.

The appellant, Sh. Gurdeep Singh Dhingi, is not present in today's hearing.

Another opportunity is given to the appellant to confirm whether he has received the information or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO through registered post with a copy to the Commission. He is also advised to represent this case in person or through his representative on the next date of hearing or it would be assumed that the appellant is satisfied with the information supplied to him and does not wish to pursue this case further, accordingly, the case would be decided on merits.

The case is **adjourned to 30th September, 2019 (Monday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 24th July, 2019

(Sanjiv Garg)
State Information Commissioner
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



Manjit Singh

S/o Sh.Sohan Singh
H.No.388/3, Bahera Road,
Patiala (Punjab)

....Appellant

V/s

Public Information Officer,

O/o The State Transport Commissioner, Punjab
Sector-17, Chandigarh.

First Appellate Authority,

O/o The Deputy Secretary,
Transport Department, Punjab
Punjab Civil Secretariat-2
Secor-9, Chandigarh

...Respondents

Appeal Case No. 61 of 2019

Present : Sh. Manjit Singh, the appellant in person.
Sh. Gurpal Singh, APIO, on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and the PIO, Sh. Sham Lal, handed over the requisite information along with letter no. 4054/116460 dated 08.10.2018 to Sh. Mandeep Singh (representative of the Appellant) during the hearing and an opportunity was given to the Appellant to point out deficiencies, if any, in writing, to the Respondent PIO through registered post and the Respondent PIO was directed to send the requisite information to the Appellant, through registered post after removing the deficiencies, which would be pointed out by the appellant.

Sh. Gurpal Singh, APIO, who appeared on behalf of the respondent PIO in today's hearing, orally states that in response to the RTI request, complete information has been supplied to the appellant, Sh. Manjit Singh.

The appellant, Sh. Manjit Singh, who appeared in person in today's hearing, orally states that he has received the information at point no. 01 and 02 of the RTI request but information in connection with point no. 03 has not been received, specifically mentioning that whether any approval has been given to start the registration series PB 11 CP, till date.

As the reply of the respondent is not very clear at point no. 03 of the RTI request, the respondent-PIO concerned is directed to file a proper reply to the query, raised by the appellant at point no. 03 of the RTI request by or on the next date of hearing. He is also advised to send the reply in advance to the appellant through registered post by the next date of hearing.

The case is **adjourned to 30th September, 2019 (Monday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 24th July, 2019

**(Sanjiv Garg)
State Information Commissioner
Punjab**

Manjit Singh

S/o Sh.Sohan Singh
H.No.388/3, Bahera Road,
Patiala (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Secretary,
Regional Transport Authority,
Bathinda(Punjab)

First Appellate Authority,
O/o The State Transport Commissioner, Pb.
Sector-17, Chandigarh.

...Respondents

Appeal Case No. 62 of 2019

Present : Sh. Manjit Singh, the appellant in person.
Sh. Sarabjit Singh, Junior Assistant, on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and the PIO office of Sub Divisional Magistrate, Maur was impleaded as a party in this case and was directed to supply the requisite information to the Appellant before the fixed date of hearing by registered post and produce the postal receipt in the Commission, through which information would be sent to the Appellant on the fixed date of hearing. The Appellant was also advised to go through the requisite information and point out deficiencies, if any, in writing, to the Respondent PIO through registered post, with a copy to the Commission.

The appellant, Sh. Manjit Singh, who appeared in person in today's hearing, orally states that no information has been supplied to him by the respondent PIO so far.

Sh. Sarabjit Singh, Junior Assistant, who appeared on behalf of the respondent PIO in today's hearing, submits a reply vide letter no. 1557 dated 23.07.2019, showing that in response to the RTI request, a reply has already been given to the appellant, Sh. Manjit Singh vide letter no. 39 dated 05.10.2018 through registered post, intimating him that the information sought for by him through his RTI request could not be supplied to him as it is 'personal information' under Section 8 (1) (j) of the RTI Act. It is taken on record.

After going through the queries raised by the appellant, Sh. Manjit Singh through his RTI request, it is found that the information sought for by him is not at all 'personal information' and be supplied to the appellant. Accordingly, the respondent-PIO is directed to supply the certified copies of the required information to the appellant as per queries raised by him through his RTI request through registered post before the next date of hearing and submit a copy of the postal receipt, through which information would be sent to the Appellant, on the next date of hearing. A copy of this order be sent to respondent-PIO concerned (PIO of office of Sub Divisional Magistrate, Maur) through registered post.

An opportunity is also given to the appellant to confirm whether he has received the information (which would be supplied by respondent PIO) or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned.

The case is **adjourned to 30th September, 2019 (Monday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 24th July,2019

**(Sanjiv Garg)
State Information Commissioner
Punjab**

(Regd. Post)

**Public Information Officer
O/o Sub Divisional Magistrate,
Maur,
Distt. – Bathinda(Punjab)**

Jaspal Singh,
S/o Sh. Pritam Singh
R/o # XXVI-585, Model Gram
Ludhiana (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Commissioner
Municipal Corporation Zone-D,
Ludhiana (Punjab)
(Regd. Post)

First Appellate Authority,
O/o The Commissioner,
Municipal Corporation Zone-D,
Ludhiana (Punjab)

...Respondents

Appeal Case No.107 of 2019

Present : Sh. Jaspal Singh, the appellant in person alongwith Ms. Deepti Saluja,
Advocate.
Sh. Harjit Singh, Draftsman, Zone – D, on behalf of the respondent.

ORDER

This case was last heard on 28.05.2019 and the Respondent PIO was directed to supply the information relating to point no. 01, 02, 03 and 04 through registered post to the Appellant, before the next date of hearing and produce the postal receipt in the Commission, through which information would be sent to the Appellant on the fixed date of hearing. The Appellant was also advised to go through the requisite information and point out deficiencies, if any, in writing, to the Respondent PIO through registered post, with a copy to the Commission.

Sh. Harjit Singh, Draftsman, Zone – D, who appeared on behalf of the respondent PIO in today's hearing, orally states that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Jaspal Singh.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 35 dated 18.04.2019 signed by Public Information Officer-cum-Assistant Town Planner, Municipal Corporation Zone-D, Ludhiana, which has been received in the Commission vide Diary No. 8289 dated 23.04.2019, has intimated the Commission that at point no. 01 and 02 of the RTI request, the requisite information has already been given to the appellant, Sh. Jaspal Singh vide letter no. 183 dated 18.09.2018 and again vide letter no. 213 dated 11.10.2018 through registered post, intimating that parking of vehicles i. e. Scooter and

Car parking is going on at the housing plot of the appellant in the vacant portion without any permission of the concerned authority and on the complaint of all the residents of the locality, the said plot has been sealed. At point no. 03 of the RTI request, a notice number 2322/ATP-D dated 12.04.2018 was issued to stop the unauthorized parking. At point no. 04 of the RTI request, the appellant was intimated that such sealing can be done under certain clauses of Municipal Corporation Act, 1976 and it can be downloaded from the official website. It, alongwith annexure, is taken on record.

The appellant, Sh. Jaspal Singh, who appeared in person alongwith Ms. Deepti Saluja, Advocate, in today's hearing, orally intimates the Commission that whatever information has been given to him is uncertified. He also points out that sealing of buildings can be done under Municipal Corporation Act, 1976 not of vacant plots and through point no. 04 of the RTI request, he has demanded that under which section and Act, the seals were put on the vacant plot of the appellant and in the reply given by the respondent, no particular clause or section of Municipal Corporation Act, 1976 has been mentioned, through which seals were put on the vacant plot of the appellant.

The respondent-PIO concerned is directed to file a proper reply to the query, raised by the appellant at point no. 04 through his RTI request, mentioning the clause or section of Municipal Corporation Act, 1976, under which procedure, seals were put on the vacant plot of the appellant, before the next date of hearing. A copy of this order be sent to respondent-PIO concerned through registered post.

The case is **adjourned to 30th September, 2019 (Monday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 24th July, 2019

(Sanjiv Garg)
State Information Commissioner
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



(Regd. Post) **Balbir Aggarwal,**
10904, Basant Road,
Near Gurudwara Bhagwanti,
Industrial Area – A, Ludhiana (Punjab) ...Appellant
V/s

(Regd. Post) **Public Information Officer,**
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab) ...Respondents

Complaint Case No. 3803 of 2010

Present : None on behalf of the complainant.
None on behalf of the respondent.

ORDER

In the above mentioned Complaint case, a penalty of Rs. 5000/- was imposed upon the two PIOs of M. C., Ludhiana { i. e. Sh. A. K. Singla, S. E. (B & R) and Sh. H. S. Khosa, XEN(B & R) } in equal proportion and a compensation of Rs. 1500/- was awarded in favour of the complainant, Sh. Balbir Aggarwal Vide orders dated 17.08.2011. Further a Civil Writ Petition No. 23908 of 2011 was filed by the respondents in the Hon'ble Punjab and Haryana High Court to set aside the order and the same has been dismissed vide orders dated 04.09.2017. Accordingly, a letter vide no. 17 dated 17.01.2018 was sent by the Commission to Commissioner, Municipal Corporation, Ludhiana to recover the penalty amount from the concerned PIOs and to pay compensation to the complainant, Sh. Balbir Aggarwal under intimation to the Commission. Further, a reminder vide letter no. 37 dated 15.01.2019 was again sent by the Commission to Commissioner, Municipal Corporation, Ludhiana to recover the penalty amount from the concerned PIOs and to pay compensation to the complainant, Sh. Balbir Aggarwal. As no information or intimation in this regard was received in the Commission, the above mentioned complaint case was re-allocated to the Bench of the undersigned for taking further necessary action regarding recovery of penalty amount and payment of compensation. Accordingly, the case is fixed for today for hearing.

The complainant, Sh. Balbir Aggarwal, is not present in today's hearing.

After examining the documents placed on record, it is found that a notice of hearing issued by the Commission on 19.06.2019 in the name of the complainant, Sh. Balbir Aggarwal is received back as 'undelivered' through Diary No. 12115 dated 24.06.2019. It is taken on record.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 551 dated 23.07.2019 signed by Executive Engineer (Establishment), Municipal Corporation, Ludhiana, which has been received in the Commission vide Diary No. 14257 dated 25.07.2019, has requested the Commission for an adjournment in

this case as the instant complaint case is very old and the concerned officials, who were the then (two) PIOs of M. C., Ludhiana, namely : Sh. A. K. Singla, S. E. (B & R) and Sh. H. S. Khosa, XEN(B & R), are retired from their official services about 04 to 05 years ago and to ensure the compliance of the orders of the Commission, efforts have been made to trace-out the relevant official record but till date it has not been traced and a letter has also been sent to the then (two) PIOs of M. C., Ludhiana i. e. Sh. A. K. Singla, S. E. (B & R) and Sh. H. S. Khosa, XEN(B & R) respectively, to submit receipt challan of penalty amount, if deposited by them in Treasury. It is taken on record.

Another opportunity is given to the to the Nodal Public Information Officer office of Commissioner, Municipal Corporation, Ludhiana to confirm the compliance of the order passed by Hon'ble Punjab and Haryana High Court on 04.09.2017 in a Civil Writ Petition No. 23908 of 2011 by submitting a copy of challan/receipt through which penalty amount of Rs. 5000/- (which was imposed vide orders dated 17.08.2011) was deposited in Government Treasury by the then (two) PIOs of M. C., Ludhiana { i. e. Sh. A. K. Singla, S. E. (B & R) and Sh. H. S. Khosa, XEN(B & R) } in equal proportion and also submit a copy of Demand Draft/Cheque through which compensation (which was imposed vide orders dated 17.08.2011) was paid to the complainant, Sh. Balbir Aggarwal.

Accordingly, A copy of this order be sent through registered post in the name of the Commissioner, Municipal Corporation, Ludhiana to ensure the compliance of the abovesaid order under intimation to the Commission. He is also advised to ensure presence of any of official of his office as a representative to represent this case on the next date of hearing to clear the facts of this case. A copy of this order be sent to him through registered post alongwith a copy of i) orders dated 04.09.2017 passed by Hon'ble Punjab and Haryana High Court ; ii) a copy of letter vide no. 17 dated 17.01.2018 and a reminder sent vide letter no. 37 dated 15.01.2019 sent by the Commission to Commissioner, Municipal Corporation, Ludhiana to recover the penalty amount from the concerned PIOs and to pay compensation to the complainant, Sh. Balbir Aggarwal,

The case is **adjourned to 11th September, 2019 (Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties through registered post.

Date : 24th July,2019

**(Sanjiv Garg)
State Information Commissioner
Punjab**

(Regd. Post)

**The Commissioner(By Name),
Municipal Corporation,
Ludhiana (Punjab)**

Encl : i) orders dated 04.09.2017 ;
ii) letter vide no. 17 dated 17.01.2018 ;
iii) letter no. 37 dated 15.01.2019