

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**



Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com Cisco Webex Meeting Code:15857-23975

Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)

Shri Gurdev Singh
S/o Shri Gurbachan Singh
2163, Tibbi Sahib Road,
Gaushala Street, Sri Muktsar Sahib.

.....Appellant

Versus

Public Information Officer
O/o Director, State Transport,
Punjab, Sector-17, Chandigarh.

First Appellate Authority
O/o Director, State Transport,
Punjab, Sector-17, Chandigarh.

....Respondents

AC No.3312 of 2020

Present: (i) **Shri Gurdev Singh, the appellant.**
(ii) **Shri Kuldeep Singh, Superintendent O/o Director, State Transport, Punjab, Chandigarh.**

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 07.06.2021 passed on the previous hearing.
2. Shri Gurdev Singh, appellant comes present to attend the hearing through Cisco Webex. He states that as per directions of the Bench, vide letter dated 11.06.2021, he was called to the office of PIO for inspection the record on 22.06.2021 but he could not visit. He was again called on 16.07.2021 and he has been supplied information on 11.08.2021, but the information as sought by him, has not been provided.
3. Shri Kuldeep Singh, Superintendent O/o Director, State Transport, Punjab, Chandigarh comes present to attend the hearing through Cisco Webex. The PIO further states that an affidavit dated 20.08.2021 duly attested has been sent to the Commission incorporating therein the position regarding the information supplied. As per affidavit, it has been stated that in spite of calling the appellant repeatedly to inspect the records, he has not turned up. Then in pursuance of his representation dated 16.06.2021, he has been supplied information on 27.07.2021 and again in pursuance of another representation from him on 30.06.2021, the

Cont...P-2



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AC No.3312 of 2020

information has been supplied to the appellant vide letter dated 11.08.2021. He further states that the appellant has also filed CWP No.28605 of 2018 in the Hon'ble Punjab and Haryana High Court and whatever decision is rendered by the Hon'ble Court, action will be taken accordingly.

4. The appellant is apprised of the version of the PIO regarding the information supplied as also the affidavit filed by the PIO original of which has been sent to the Bench. The appellant is informed that the original affidavit will be sent to him along with the order.

5. In view of the above, the information stands supplied to the appellant. **As such, the appeal case is disposed off and closed.** Copies of order be given to the concerned parties. Copy of the affidavit be sent along with the order to the appellant.

**Chandigarh
24.08.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh. Darshan Singh Mehmi,
S/o Sh. Sukhram Singh,
R/o 4576, MIG, Super Flats,
Sector:70, Mohali.

.....Appellant

Versus

Public Information Officer
O/o Chief Administrator,
GLADA, Ludhiana.

First Appellate Authority,
O/o Chief Administrator,
GLADA, Ludhiana.

...Respondents

AC No.4000 of 2020

Present: (i) Appellant-absent.
(ii) None on behalf of the PIO, GLADA, Ludhiana.

ORDER

(Heard on Mobile phone)

1. This order may be read with reference to the order dated 07.06.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant has not come present to attend the hearing through Cisco Webex.
3. Neither the PIO has come present to attend the hearing nor he has deputed any of his representatives to attend the hearing through Cisco Webex.
4. Shri Darshan Singh Mehmi, appellant is contacted on mobile phone. He states that he has sent letter dated 08.07.2021 to the effect that he has received the information. He also gives his consent to close the case.
5. In view of the above, no further cause of action is left in the matter. **The appeal case is disposed off and closed.** Copies of order be given to the concerned parties.

Chandigarh
24.08.2021

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Helpline No.0172-2864116 (10.00 AM to 04.00 PM on working days)

Shri. Bakshish Singh,
88, New Jawahar Nagar,
Jalandhar.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer,
Improvement Trust,
Ludhiana.

First Appellate Authority
O/o Deputy Director,
Local Govt., Ludhiana.

....Respondents

AC No.1218 of 2020

Present: (i) Shri. Bakshish Singh, appellant in person before the Bench
(ii) Shri Yadwinder Singh, Accountant/APIO along with Shri Rama Shankar, Clerk O/o Executive Officer, Improvement Trust, Ludhiana on behalf of the PIO, in person before the Bench.

ORDER:

1. This order may be read with reference to the order dated 07.06.2021 passed on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant comes present to attend the hearing in person before the Bench.
3. Shri Yadwinder Singh, Accountant/APIO, O/o E.O. Improvement Trust, Ludhiana comes present to attend the hearing. He states that the appellant has been provided complete information vide letter dated 12.03.2021, 15.04.2021 and 03.05.2021 by registered post and that an affidavit has also been provided to the appellant vide letter dated 04.06.2021 and a copy of the same has also been sent to the Commission. He also states that he has brought along the entire relevant record relating to the appeal case.

Cont..P-2



4. On the asking of the Bench, the appellant states that he has received incomplete information and he has sent four letters to the Commission wherein he has pointed out certain deficiencies stating that the information as required by him has not been provided and whatever information has been provided, is not attested by the PIO.

5. Post deliberations, the Bench gives the respondent time to show the appellant all the relevant documents today itself in the adjoining court room and then report to the Bench. After showing the appellant records, the respondent apprises the Bench that all the details have been shown to the appellant. On the asking of the Bench, the appellant still seems to be unsatisfied and states that information provided is unattested. Upon this, the Bench directs the PIO to provide attested copies of the information to the appellant.

6. The Bench, on perusal of the case file, observes that this is the eighth hearing in the instant appeal case. The relevant record has been shown to the appellant and an affidavit has also been filed by the PIO. The PIO has also deposited the amount of penalty imposed. The Bench is convinced that the requisite information has been supplied to the appellant and the PIO has complied with the directions of the Bench in totality. As such, the Bench is not inclined to further interfere with the present appeal case.

7. In view of the aforesaid position, **the appeal case is disposed off and closed.**
Copies of order be given to the concerned parties.

**Chandigarh
24.08.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri. Bakshish Singh,
88, New Jawahar Nagar,
Jalandhar.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer,
Improvement Trust,
Ludhiana.

First Appellate Authority
O/o Deputy Director,
Local Govt., Ludhiana.

....Respondents

AC No.1257 of 2020

Present: (i) Shri. Bakshish Singh, the appellant in person before the Bench
(ii) Shri Yadwinder Singh, Accountant/APIO along with Shri Rama Shankar, Clerk O/o Executive Officer, Improvement Trust, Ludhiana on behalf of the PIO in persons before the Bench.

ORDER:

1. This order may be read with reference to the order dated 07.06.2021 passed on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant comes present to attend the hearing in person before the Bench.
3. Shri Yadwinder Singh, Accountant/APIO, O/o E.O. Improvement Trust, Ludhiana comes present to attend the hearing. He states that the appellant has been provided the complete information vide letter dated 12.03.2021, 15.04.2021 and 03.05.2021 by registered post and that an affidavit has also been provided to the appellant vide letter dated 04.06.2021 and a copy of the same has also been sent to the Commission. He also states that he has brought along the entire relevant record relating to the appeal case.

Cont..P-2



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AC No.1257 of 2020

4. On the asking of the Bench, the appellant states that he has received incomplete information and he has sent four letters to the Commission wherein he has pointed out certain deficiencies stating that the information as required by him has not been provided and whatever information has been provided, is not attested by the PIO.

5. Post deliberations, the Bench gives the respondent time to show the appellant all the relevant documents today itself in the adjoining court room and then report to the Bench. After showing the appellant records, the respondent apprises the Bench that all the details have been shown to the appellant. On the asking of the Bench, the appellant still seems to be unsatisfied and states that information provided is unattested. Upon this, the Bench directs the PIO to provide attested copies of the information to the appellant.

6. The Bench, on perusal of the case file, observes that this is the eighth hearing in the instant appeal cases. The relevant record has been shown to the appellant and an affidavit has also been filed by the PIO. The PIO has also deposited the amount of penalty imposed. The Bench is convinced that the requisite information has been supplied to the appellant and the PIO has complied with the directions of the Bench in totality. As such, the Bench is not inclined to further interfere with the present appeal case.

7. In view of the aforesaid position, **the appeal case is disposed off and closed.** Copies of order be given to the concerned parties.

Chandigarh
24.08.2021

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Shri Kamaljit Singh,
#395-L, Model Town,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Punjab State Power Corporation Ltd.
Ludhiana.

First Appellate Authority

O/o Punjab State Power Corporation Ltd,
Ludhiana.

....Respondents

AC No.293 of 2021

Present:

- (i) Appellant -absent
- (ii) Shri Surjit Singh, Addl.Superintending Engineer, Operation/PIO,
PSPCL, Ludhiana.

ORDER:

(Heard through Cisco Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 09.06.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant has not come present to attend the hearing through Cisco Webex.
3. Shri Surjit Singh, Addl.SE, Operation/PIO, PSPCL, Ludhiana comes present to attend the hearing through Cisco Webex. He states that the information has been supplied to the appellant and an affidavit to this effect has been supplied to the appellant vide letter No.2065 dated 19.08.2021, sent by registered post on 21.08.2021. He also shows copy of the affidavit to the Bench during hearing and assures to send a copy by e.mail also to the appellant.
4. The appellant Shri Kamaljit Singh is contacted on mobile phone. On the asking of the Bench, he denies the receipt of the affidavit. Then he is apprised of the version of the PIO.

Cot..P-2



-2-

AC No.293/2021

5. In view of the assurance given by the PIO, **the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.08.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Gagandeep Singh Threke,
(RTI Activist)
H.No.208,Aryan Enclave,
Main Sua Road,
Near Gita Mandir Chowk,
Ludhiana-142028.

.....Appellant

Versus

Public Information Officer
O/o Improvement Trust,
Ludhiana.

First Appellate Authority-cum-
Deputy Director,
Urban Local Bodies,
Ludhiana.

....Respondents

AC No.3022 of 2020

Present: (i) Appellant - absent
(ii) Shri Yadwinder Singh, Accountant/APIO along with
Shri Rama Shankar, Clerk,Improvement Trust, Ludhiana
on behalf of the PIO, in person before the Bench.

ORDER:
(Heard through Cisco Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 09.06.2021 passed by the Bench on the previous hearing.
2. The appeal case has been heard today through Cisco Webex. Shri Gagandeep Singh Threke, appellant has not come present to attend the hearing through Cisco Webex.
3. Shri Yadwinder Singh, Accountant/APIO along with Shri Rama Shankar, Clerk,Improvement Trust, Ludhiana comes present to attend the hearing before the Bench in person on behalf of the PIO. The APIO states that the information has been supplied to the appellant vide letter dated 12.02.2021 and again vide letter dated 08.06.2021. He further states that in compliance with the directions of the Bench, an affidavit dated 10.06.2021 has also been supplied to the appellant.

Cont..P-2



-2-

AC No.3022/2020

4. On the asking of the Bench, the appellant states that he has received the information as also the affidavit from the PIO. He expresses his satisfaction over the information supplied and gives his consent to close the case.

5. In view of the above, no further cause of action is left in the matter. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh
24.08.2021

Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab

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Shri Amarjit Singh,
S/o Shri Balvir Singh
VPO Karnana, Tehsil and
Distt. Shaheed Bhagat Singh Nagar.
(Nawanshahar).

.....Complainant

Versus

Public Information Officer
O/o Sr. Superintendent of Police,
Ropar.

Remanded Back
First Appellate Authority
Inspector General of Police,
Rupnagar Range, Rupnagar.

...Respondents

CC No.653/2021

Present: (i) **Shri Amarjit Singh, Complainant .**
(ii) **ASI Sardul Singh, I/c RTI Branch, O/o SSP Rupnagar,**
on behalf of the PIO.

ORDER

(Heard through Cisco Webex/On mobile phone)

1. The RTI application is dated 04.02.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 27.05.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 24.08.2021 through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex. Shri Amarjit Singh, complainant comes present to attend the hearing through Cisco Webex.
3. Shri Sardul Singh, ASI, I/c RTI Branch, O/o SSP Rupnagar comes present to attend the hearing through Cisco Webex. Due to poor audibility, he is contacted on mobile phone. He states that the information sought by the complainant does not come within the purview of RTI Act under Section 2(F)(G)(H) of the RTI Act, 2005. He further states that as per Central Information Commission's decision NO.236/IC(A)/2006, the information which may have to be prepared/compiled cannot be provided.

Cont...P-2



4. On the asking of the Bench, the complainant states that he has received letter dated 04.08.2021 stating therein that the information asked for is not specific and does not come within the purview of RTI Act under Section 2(F)(G)(H) of the RTI Act, 2005. He further states that he is not satisfied with the reply of the PIO and hence, has filed a complaint with PSIC.

5. The Bench observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.

6. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

7. Post deliberations with the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e **Shri Rakesh Aggarwal, Inspector General of Police, Rupnagar Range, Rupnagar**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
24.08.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post):

**First Appellate Authority
Inspector General of Police,
Rupnagar Range, Rupnagar,**

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**



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Shri Amarjit Singh,
S/o Shri Balvir Singh
VPO Karnana, Tehsil and
Distt. Shaheed Bhagat Singh Nagar.
(Nawanshahar).

.....Complainant

Versus

Public Information Officer
O/o Sr. Superintendent of Police,
Sri Muktsar Sahib.

Remanded Back
First Appellate Authority
Inspector General of Police,
Faridkot Range, Faridkot.

...Respondents

CC No.660/2021

Present: (i) **Shri Amarjit Singh, Complainant .**
(ii) **ASI Manjit Singh, I/c RTI Branch, O/o SSP Sri Muktsar Sahib,**
On behalf of the PIO.

ORDER

(Heard through Cisco Webex)

1. The RTI application is dated 04.02.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 27.05.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 24.08.2021 through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex. Shri Amarjit Singh, complainant comes present to attend the hearing through Cisco Webex.
3. Shri Manjit Singh, ASI, I/c RTI Branch, O/o SSP Rupnagar comes present to attend the hearing through Cisco Webex. He states that the information sought by the complainant is third party information and as such, does not come within the purview of RTI Act. under Section-11 of RTI Ac, 2005 and as per decision rendered by Hon'ble Supreme Court in SLP No.27734 of 2012, this information cannot be provided.

Cont...P-2



4. The Bench does not agree with the contention of the representative of the PIO and observes that the information sought is in public interest. On the asking of the Bench, the complainant states that he has not received any information from the PIO as stated by the representative of PIO and hence, has filed a complaint with the PSIC.

5. The Bench observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.

6. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

7. Post deliberations with the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e **Shri Surjit Singh, Inspector General of Police, Faridkot Range, Faridkot**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
24.08.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post):

**First Appellate Authority
Inspector General of Police,
Faridkot Range, Faridkot.**