

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING, NEAR ROSE GARDEN,**  
**SECTOR 16, CHANDIGARH.**  
**Ph: 0172-2864116, Email: - [psic26@punjabmail.gov.in](mailto:psic26@punjabmail.gov.in)**  
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**Helpline No.0172-2864100(10.00 AM to 04.00 PM on working days)**



Shri Munish Kumar Aadiya  
S/o Late Shri Girdhar Gopal Aadiya  
H.No.B-05-975, Mohalla Phalaida  
Daal Bazar, Ludhiana-141001.

.....Appellant

Versus

**Public Information Officer**  
O/o Municipal Corporation,  
Zone-A, Ludhiana.

**First Appellate Authority**  
O/o The Commissioner,  
Municipal Corporation,  
Ludhiana.

....Respondents

**AC No.2426 of 2020**

**Present:** (i) **Shri Munish Kumar Aadiya, Appellant**  
(ii) **Shri Satish Kumar, Superintendent/PIO, Zone-A, Municipal Corporation, Ludhiana on behalf of the PIO.**

**ORDER:**

**(Heard through Video Conferencing)**

1. This order may be read with reference to the order dated 10.11.2020 passed by this Bench on the previous hearing.
2. The case has been heard today through V.C. in the office of D.C. Ludhiana. Shri Munish Kumar Aadiya, appellant comes present to attend the hearing through V.C. He admits the receipt of information and the affidavit sent by the PIO. But he states that he is not satisfied with the information supplied and the affidavit given to him sent vide letter dated 08.01.2021, as he has sought information regarding the ownership of Property No.B-5-966/2, whereas there is also mention of another property No.B-5/975 in the affidavit and he is not satisfied with the same.
3. Shri Satish Kumar, Supdt./PIO, Zone-A, M.C. Ludhiana attends the hearing through V.C. He states that the requisite information has already been supplied to the appellant and the affidavit, as per directions of the Commission, has been given to the appellant. On the asking of the Bench, with regard to the contention raised by the appellant, the PIO states that the affidavit has been given to the appellant vide letter dated 08.01.2021 based on the record available in their office and beyond that, there is nothing else available in the official records which can be shared with the appellant with regard to AC No.2426/2020.

Cont...P-2.



-2-

**AC No.2426/2020**

4. Post deliberations, and on perusal of the case file, the Bench observes that the PIO has clarified the position in the affidavit with regard to the information sought by the appellant in connection with Property No.B-5-966/2 . The Bench is fully convinced that the requisite information stands supplied to the appellant.

5. In view of the above, the Bench does not feel that any further intervention is required in the matter. **As such, the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
25.01. 2021**

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

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Shri Jasbir Singh,  
R/o Guru Nanak Colony,  
Village Bolapur Jhabewal  
PO Ramgarh, Distt.Ludhiana.

.....Appellat

Versus

**Public Information Officer**

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

**First Appellate Authority**

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

....Respondents

**AC No.2414 of 2020**

**Present:**

- (i) Appellant - absent
- (ii) Shri Gurpal Singh, APIO O/o S.T.C., Punjab, Chandigarh,  
in person before the Bench.

**ORDER:**

**(Contacted on Mobile Phone)**

1. This order may be read with reference to the order dated 10.11.2020 passed by this Bench on the previous hearing.
2. The case was scheduled to be heard today through V.C. in D.C. Office, Ludhiana. But the appellant has not come present to attend the hearing.
3. Shri Gurpal Singh, APIO O/o S.T.C. Punjab comes in person before the Bench in Commission's office at Chandigarh. He states that the requisite information has been supplied to the appellant.
4. Since the appellant is absent, he is contacted on mobile phone. On the asking of Bench, he confirms the receipt of information and gives consent to close the case. A letter to this effect dated 28.11.2020 is also available in the case file.
5. In view of the above, no further intervention of the Bench is called for. **The case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh  
25.01.2021

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

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Shri Jatinder Kumar,  
C/o Sachkhand Mishthan,  
Bhandher, Nehru Gate,  
Nawanshahar.

.....Appellant

Versus

**Public Information Officer**  
O/o Executive Officer,  
Nagar Council, Nawanshahar.

**First Appellate Authority**  
O/o Regional Deputy Director,  
Local Govt., Jalandhar.

....Respondents

**AC No.2166 of 2020**

**Present:** (i) **Shri Jatinder Kumar, Appellant.**  
(ii) **Shri Amardeep Singh, Supdt/APIO, O/o Municipal Council, Nawanshahar.**

**ORDER:**

**(Heard Through Video Conferencing)**

1. This order may be read with reference to the order dated 10./11.2020 passed by this Bench on the previous hearing.
2. The case has been heard today through V.C. in the office of D.C. Nawanshahar. Shri Jatinder Kumar, appellant attends the hearing through V.C.
3. Shri Amardeep Singh, Superintendent/APIO, O/o Municipal Council, Nawanshahar comes present to attend the hearing through V.C. He states that the information has been supplied to the appellant vide letter dated 22.01.2021.
4. On the asking of the Bench, the appellant states that he has received the information from PIO but the same is not legible and is unattested.
5. The Bench directs the APIO present to hand over a legible copy of the information to the appellant, but he states that no spare copy is available with him. The Bench then directs the APIO to send a scanned copy of the information duly attested by the PIO/APIO as also to send the same by e.mail to the appellant. He assures to do the needful.
6. In view of the assurance given by Shri Amardeep Singh, APIO and concurrence by the appellant, **the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh**  
**25.01.2021**

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

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Shri Amar Singh,  
S/o Shri Khajana  
R/o Opp. Gurdwara  
Damdama Sahib,  
Main Bazar, Chamkaur Sahib.

...Complainant

Versus

**Public Information Officer**

O/o Executive Officer  
Nagar Panchayat,  
Chamkaur Sahib.

**Remanded Back**

**First Appellate Authority,**

Regional Deputy Director  
Urban Local Bodies,  
Ludhiana.

....Respondent

**CC No.536 of 2020**

**Present:** (i) Shri Amar Singh, Complainant.  
(ii) Shri Lakhbir Singh, Inspector/APIO, Nagar Panchayat, Chamkaur Sahib,  
on behalf of PIO/Respondent.

**ORDER**

**(Heard through Video Conferencing)**

1. This order may be read with reference to the order dated 10.11.2020 passed by this Bench on the previous hearing.
2. The case has been heard today through V.C. in the office of D.C. Ropar. The Complainant comes present to attend the hearing through V.C. He expresses his dis-satisfaction on the information supplied and states that he has sought information on 11 points but he has received only partial information over which he is not satisfied.
3. Shri Lakhbir Singh, Inspector, Nagar Panchayat, Chamkaur Sahib comes present to attend the hearing through V.C. He states that the Complainant has been provided information as required vide his RTI application, vide letter dated 18.11.2020 as also vide letter dated 26.02.2020.
4. The Bench peruses the case file and finds that the complainant has been supplied information para-wise vide letter dated 26.02.2020. However, on the asking of the Bench, the complainant denies receipt of this letter.

Cont....P-2

5. Post deliberations with the appellant, the representative of PIO and perusal of case file, it is ascertained 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. On enquiring from the PIO, he states that Shri Amit Bambey, Regional Deputy Director, Urban Local Bodies, Ludhiana is the First Appellate Authority.

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. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Shri Amit Bambey, Regional Deputy Director, Urban Local Bodies, Ludhiana. 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. 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  
25.01.2021**

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

**Copy to (By Regd. Post):**

**Shri Amit Bambey,**  
Regional Deputy Director  
Urban Local Bodies,  
Ludhiana.

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Shri Munish Aggarwal,  
S/o Shri Roshan Lal Aggarwal  
R/o H.No.25, Street No.1,  
Malhotra Colony, Rupnagar-140001

..... Complainant

Versus

**Public Information Officer**  
O/o Executive Officer,  
Municipal Council, Rupnagar.

**Remanded Back**

**First Appellate Authority**  
Regional Deputy Director  
Urban Local Bodies,  
Ludhiana.

....Respondent

**CC No.662 of 2020**

**Present:** (i) **Shri Munish Aggarwal, Complainant**  
(ii) **None**

**ORDER**

**(Heard through Video Conferencing/On Mobile Phone)**

1. This order may be read with reference to the order dated 10.11.2020 passed by this Bench on the previous hearing.
2. The case has been heard today through V.C. in the office of D.C. Rupnagar. Shri Munish Aggarwal, complainant comes present to attend the hearing through V.C. He states that he has not been supplied any information so far.
3. Neither the PIO himself has come present to attend the hearing through V.C. nor he has deputed any official to attend the hearing on his behalf. The Executive Officer, Municipal Council, Rupnagar is contacted on mobile phone. On the asking of the Bench, he states that he has deputed SDO of his office to attend the hearing. He is apprised that none has attended the V.C. from Municipal Council, Ropar and the Bench expresses its displeasure on such functioning of the PIO.
4. Post deliberations with the complainant and the PIO on mobile, it is ascertained 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. On enquiring from the PIO, he states that Shri Amit Bambey, Regional Deputy Director, Urban Local Bodies, Ludhiana is the First Appellant Authority.

5. 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.

6. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Shri Amit Bambey, Regional Deputy Director, Urban Local Bodies, Ludhiana. 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. 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.

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

**Chandigarh  
25.01.2021**

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

**Copy to (By Regd. Post):**

**Shri Amit Bambey,**  
Regional Deputy Director  
Urban Local Bodies,  
Ludhiana.



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Shri Armaan Midha,  
R/o H.No.90, Sector-16A,  
Chandigarh.

...Complainant

Versus

**Public Information Officer**  
O/o Registrar, Thapar Institute of  
Engineering & Technology,  
(Thapar University),  
Patiala.

....Respondent

**CC No.541 of 2020**

**Present:** (i) **Shri Armaan Midha, Complainant, in person.**  
(ii) **Shri Ashutosh, Advocate on behalf of PIO/Respondent,  
O/o Registrar, Thapar Institute of Engineering & Technology  
(Thapar University), Patiala, in person.**

**ORDER**

1. This order may be read with reference to the order dated 03.11.2020 passed by this Bench on the previous hearing.

2. The case has been heard today in Commission's office at Chandigarh. Shri Armaan Midha, complainant comes present before the Bench in person to attend the hearing. He states that no information has been received by him and also contents that the respondent Institute comes within the definition of 'Public Authority'.

3. Shri Ashutosh, Advocate, comes present to attend the hearing in person on behalf of the PIO/Registrar, Thapar Institute of Engineering & Technology (Thapar University), Patiala. On the asking of the Bench, he refers to the written statement filed on behalf of the respondent-institute and also states that the Institute in question is a totally privately managed educational Institute not funded, partially or substantially by the Government and that no notification has been issued declaring this institute as a public authority and as such, does not come under the purview of RTI Act. He also quotes in support a judgment passed by Hon'ble High Court of Karnataka, Bengaluru in writ petition No.25114 of 2009 "Manipal University vs. Mr. S.K. Dogra. He further brings to the notice of this Bench that this Ld. Tribunal vide its order dated 26.06.2018 in Appeal cases Nos.2616, 3617, 3618 & 3619 of 2016 had declared the respondent Institute as a public authority under the provisions of RTI Act, 2005. But the respondent-university has filed writ petitions No.19628, 19629, 19630 and 19631 of 2018 challenging the order dated 26.06.2018 of this Ld. Tribunal and Hon'ble High Court had



-2-

**CC No.541/2020**

stayed the operation of the said order vide its order dated 09.08.2018 and the said stay order has been continued by the Hon'ble High Court vide its order dated 12.03.2020. He further states that the matter is still pending in the Hon'ble High Court. He also places on record the orders of Hon'ble High Court dated 09.08.2020 and 12.03.2018 along with the written statement.

4. Post deliberations with the complainant and the Counsel for the respondent-Institute, the Bench is convinced that the respondent Institute is a private institute and not being controlled, funded by the Government, partially or substantially, it does not come within the definition of 'Public Authority' under the provisions of RTI Act and on the asking of the Bench, the complainant agrees to it.

5. In view of the aforesaid discussions and the position as it emerges, no further intervention of the Bench is called for. **The complaint case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
25.01.2021**

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

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Shri Armaan Midha,  
R/o H.No.90, Sector-16A,  
Chandigarh.

...Complainant

Versus

**Public Information Officer**

O/o Registrar, Thapar Institute of  
Engineering & Technology,  
(Thapar University),  
Patiala.

....Respondent

**CC No.540 of 2020**

**Present:** (i) **Shri Armaan Midha, Complainant, in person.**  
(ii) **Shri Ashutosh, Advocate on behalf of PIO/Respondent,  
O/o Registrar, Thapar Institute of Engineering & Technology  
(Thapar University), Patiala, in person.**

**ORDER**

1. This order may be read with reference to the order dated 03.11.2020 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Armaan Midha, complainant comes present before the Bench in person to attend the hearing. He states that no information has been received by him and also contents that the respondent Institute comes within the definition of 'Public Authority'.
3. Shri Ashutosh, Advocate, comes present to attend the hearing in person on behalf of the PIO/Registrar, Thapar Institute of Engineering & Technology (Thapar University), Patiala. On the asking of the Bench, he refers to the written statement filed on behalf of the respondent-institute and also states that the Institute in question is a totally privately managed educational Institute not funded, partially or substantially by the Government and that no notification has been issued declaring this institute as a public authority and as such, does not come under the purview of RTI Act. He also quotes in support a judgment passed by Hon'ble High Court of Karnataka, Bengaluru in writ petition No.25114 of 2009 "Manipal University vs. Mr. S.K. Dogra. He further brings to the notice of this Bench that this Ld. Tribunal vide its order dated 26.06.2018 in Appeal cases Nos.2616, 3617, 3618 & 3619 of 2016 had declared the respondent Institute as a public authority under the provisions of RTI Act, 2005. But the respondent-university has filed writ petitions No.19628, 19629, 19630 and 19631 of 2018 challenging the order dated 26.06.2018 of this Ld. Tribunal and Hon'ble High Court had

stayed the operation of the said order vide its order dated 09.08.2018 and the said stay order has been continued by the Hon'ble High Court vide its order dated 12.03.2020. He further states that the matter is still pending in the Hon'ble High Court. He also places on record the orders of Hon'ble High Court dated 09.08.2020 and 12.03.2018 along with the written statement.

4. Post deliberations with the complainant and the Counsel for the respondent-Institute, the Bench is convinced that the respondent Institute is a private institute and not being controlled, funded by the Government, partially or substantially, it does not come within the definition of 'Public Authority' under the provisions of RTI Act and on the asking of the Bench, the complainant agrees to it.

5. In view of the aforesaid discussions and the position as it emerges, no further intervention of the Bench is called for. **The complaint case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
25.01.2021**

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

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Shri Armaan Midha,  
R/o H.No.90, Sector-16A,  
Chandigarh.

...Complainant

Versus

**Public Information Officer**  
O/o Registrar, Thapar Institute of  
Engineering & Technology,  
(Thapar University),  
Patiala.

....Respondent

**CC No.539 of 2020**

**Present:** (i) **Shri Armaan Midha, Complainant, in person.**  
(ii) **Shri Ashutosh, Advocate on behalf of PIO/Respondent,  
O/o Registrar, Thapar Institute of Engineering & Technology  
(Thapar University), Patiala, in person.**

**ORDER**

1. This order may be read with reference to the order dated 03.11.2020 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Armaan Midha, complainant comes present before the Bench in person to attend the hearing. He states that no information has been received by him and also contents that the respondent Institute comes within the definition of 'Public Authority'.
3. Shri Ashutosh, Advocate, comes present to attend the hearing in person on behalf of the PIO/Registrar, Thapar Institute of Engineering & Technology (Thapar University), Patiala. On the asking of the Bench, he refers to the written statement filed on behalf of the respondent-institute and also states that the Institute in question is a totally privately managed educational Institute not funded, partially or substantially by the Government and that no notification has been issued declaring this institute as a public authority and as such, does not come under the purview of RTI Act. He also quotes in support a judgment passed by Hon'ble High Court of Karnataka, Bengaluru in writ petition No.25114 of 2009 "Manipal University vs. Mr. S.K. Dogra. He further brings to the notice of this Bench that this Ld. Tribunal vide its order dated 26.06.2018 in Appeal cases Nos.2616, 3617, 3618 & 3619 of 2016 had declared the respondent Institute as a public authority under the provisions of RTI Act, 2005. But the respondent-university has filed writ petitions No.19628, 19629, 19630 and 19631 of 2018 challenging the order dated 26.06.2018 of this Ld. Tribunal and Hon'ble High Court had

stayed the operation of the said order vide its order dated 09.08.2018 and the said stay order has been continued by the Hon'ble High Court vide its order dated 12.03.2020. He further states that the matter is still pending in the Hon'ble High Court. He also places on record the orders of Hon'ble High Court dated 09.08.2020 and 12.03.2018 along with the written statement.

4. Post deliberations with the complainant and the Counsel for the respondent-Institute, the Bench is convinced that the respondent Institute is a private institute and not being controlled, funded by the Government, partially or substantially, it does not come within the definition of 'Public Authority' under the provisions of RTI Act and on the asking of the Bench, the complainant agrees to it.

5. In view of the aforesaid discussions and the position as it emerges, no further intervention of the Bench is called for. **The complaint case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
25.01.2021**

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

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Shri Navneet Kumar  
# 496/12, Krishna Nagar,  
Backside Post Office,  
Gurdaspur-143521.

.....Appellant

Versus

**Public Information Officer**

O/o Sub Divisional Officer,  
Punjab State Power Corporation Ltd.,  
Sarna, District Pathankot.

**First Appellate Authority,**

O/o Executive Engineer,  
Operational Urban Division,  
Punjab State Power Corporation Ltd.,  
Pathankot.

**Public Information Officer**

Executive Engineer, City Division,  
PSPCL, Pathankot

....Respondents

**AC No.3516 of 2020**

**Present:**

- (i) Shri Navneet Kumar, Appellant in person before the Bench
- (ii) Shri Manmohan Lal, SDO/APIO, Punjab State Power Corporation Ltd., Pathankot, in person before the Bench, on behalf of the PIO.

**ORDER:**

1. This order may be read with reference to the order dated 28.12.2020 passed by this Bench on the previous hearing.
2. The cases has been heard today in Commission's Office at Chandigarh. Shri Navneet Kumar, appellant comes present in person before the Bench to attend the hearing. He states that information has been supplied to him. He further states that he had received letter dated 15.01.2021 from the PIO, in pursuance of which, he has delivered letter dated 21.01.2021 in the office of PIO, pointing out deficiencies in the information supplied.
3. Shri Manmohan Lal, SDO O/o PSPCL, Sarna, District Pathankot comes in person before the Bench. He states that the information on all the points has been supplied by the Senior Executive Engineer, City Division, PSPCL, Pathankot and also states that the appellant has again been asked to visit their office to inspect the records, if any additional information is required by him, on any working day. He further states that in his RTI application, the appellant has put certain questions, which under the provisions under the RTI Act is non-admissible.



-2-

**AC No.3516/2020**

4. Post deliberations and on perusal of the case file, the Bench observes that the appellant has been supplied information adequately but he does not seem to be satisfied and is making bids to get additional information well beyond the purview of his RTI Application.

5. In view of the above, the Bench directs the PIO/ Executive Engineer, City Division, PSPCL, Pathankot to file an affidavit within next 7 days, duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.3516 of 2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement is true and authentic. Original copy of affidavit be given to the appellant and photocopy of the same be sent to the Commission for record. The appellant is advised to collect the affidavit from the office of PIO by hand. The APIO present assures to do the needful.

6. With the aforesaid directions, **the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
25.01.2021**

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