

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.

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Sh. H.S.Hundal, Advocate,
203, Judicial Court, Sector:76,
Mohali.

...Appellant

Vs

Public Information Officer,
O/o State Transport Commissioner,
Punjab, Chandigarh.

First Appellate Authority-cum-
O/o State Transport Commissioner,
Punjab, Chandigarh.

...Respondents

AC.No. 4196 of 2019

PRESENT : (i) Sh. H.S.Hundal, the appellant.
(ii) Sh. Piara Singh, Assistant Transport Officer-cum- PIO, the respondent.

ORDER:

1. This order may be read with reference to the previous order dated 21.01.2020.
2. The appellant states that inspite of the directions of the Commission during the previous hearing, no information has been provided to him by the PIO yet.
3. Sh. Piara Singh, Assistant Transport Officer-cum- PIO is appearing in person states that he has brought partial information for handing over to the appellant. Copy of the same is taken on record and also handed over to the appellant during the proceedings. The PIO requests that some additional time be given to provide balance of information to the appellant.
4. After deliberations and perusal of the record as available on the file, it is ascertained that the PIO is unnecessarily delaying provision of information and harassing the appellant. The RTI Act 2005 is meant to promote transparency in functioning of public authorities.
5. In view of the above, Sh. Piara Singh, Assistant Transport Officer-cum- PIO O/o State Transport Commission, Punjab is issued a show cause notice to explain as to why action should not be taken against him for not providing the information to the appellant and why penalty @250/- per day should not be imposed upon him for not complying with the orders of the Commission dated 21.01.2020. The PIO is directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in not getting the complete information.

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AC.No. 4196 of 2019

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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.

7. The matter is adjourned. To come up for further hearing on **07.04.2020 at 11.30 AM**.
Copies of the order be sent to the parties.

**Chandigarh
25.02.2020**

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

Regd. Post.

CC: Sh. Piara Singh, Assistant Transport Officer-cum- PIO O/o State Transport Commission,
Punjab

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Sh. H.S.Hundal, Advocate,
203, Judicial Court, Sector:76,
Mohali.

...Appellant

Vs

Public Information Officer,
O/o Regional Transport Authority,
Faridkot.

First Appellate Authority-cum-
O/o State Transport Commissioner,
Punjab, Chandigarh.

...Respondents

AC.No. 4192 of 2019

PRESENT : (i) Sh. H.S.Hundal, the appellant.
(ii) None is present on behalf of the PIO.

ORDER:

1. This order may be read with reference to the previous order dated 21.01.2020.
 2. The appellant states that inspite of the directions of the Commission during the previous hearing, no information has been provided to him by the PIO so far.
 3. The PIO is absent for today's hearing inspite of the order's of the Commission, he was also not present during the previous hearing. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed adversely.
 4. Last opportunity is now being given to the PIO to follow up the case before the Commission by appearing in person and provide the information to the appellant as per his RTI request within fifteen days. The PIO is also directed to file an affidavit in response to the show cause notice issued to him during the previous hearing, failing which decision shall be taken in his absentia.
 5. The matter is adjourned. To come up for further hearing on **07.04.2020 at 11.30 AM.**
- Copies of the order be sent to the parties.

Chandigarh
25.02.2020

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

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Sh. H.S.Hundal, Advocate,
203, Judicial Court, Sector:76,
Mohali.

...Appellant

Vs

Public Information Officer,
O/o SDO,
PSPCL, Dagru, Moga.

First Appellate Authority-cum-
O/o Chief Engineer (West),
PSPCL, Bathinda.

...Respondents

AC.No. 4052 of 2019

PRESENT : (i) Sh. H.S.Hundal, the appellant.
(ii) Sh. Nihal Singh, J.E on behalf of the respondent.

ORDER:

1. This order may be read with reference to the previous order dated 27.01.2020.
 2. The appellant states that as per the directions of the Commission, during the last hearing, he visited the office of the PIO but received partial information. He further adds that Sh. Sukhdeep Singh, SDO-cum-APIO promised him provision of complete information, before the next hearing.
 3. Sh. Nihal Singh, J.E comes present on behalf of the PIO without any authority letter. He requests for additional time to make available remaining information to the appellant.
 4. The PIO is now directed to provide the complete information to the appellant as per his RTI request before the next hearing. The PIO will also file an affidavit duly attested by the Notary Public to the effect that whatever information is available on the records of SDO, PSPCL, Dagru, Moga related to RTI application in AC No.4052/2019 has been provided to the appellant. Apart from that, no other information as sought by the appellant is available with them and nothing has been concealed therein
 5. The matter is adjourned. To come up for further hearing on **07.04.2020 at 11.30 AM.**
- Copies of the order be sent to the parties.

Chandigarh
25.02.2020

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

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Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector:125, Kharar, Distt:Mohali.

...Appellant

Vs

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Ludhiana.
First Appellate Authority-cum-
O/o State Transport Commissioner,
Punjab, Chandigarh.

...Respondents

AC.No. 4167 of 2019

PRESENT : (i) Sh. Manjinder Singh, the appellant.
(ii) Sh. Amardeep Singh, Clerk is present on behalf of the PIO.

ORDER:

1. This order may be read with reference to the previous order dated 21.01.2020.
2. The appellant states that he visited the office of the PIO as per the directions of the Commission and obtained information pertaining to point nos. 4, 5 and 6. He further states that information on point nos. 1, 2 and 3 has been refused by the PIO on the pretext of it relating to Private Company.
3. Sh. Amardeep Singh, Clerk is appearing on behalf of the PIO states that information as was available in their official records has been provided to the appellant. He further adds that information on point nos. 1, 2 & 3 is related to a Private Company i.e. AGROS IMPEX (I) PVT LTD, Industrial Area Plot No.617, Sector: 82, Janta Industrial Estate, SAS Nagar, Mohali. This company does not fall under the jurisdiction of the Secretary, Regional Transport Authority, Ludhiana. The appellant expresses his satisfaction after the issue is explained to him.
4. After deliberations and perusal of the record as available on file, it is ascertained that the PIO has complied with the orders of the Commission. The Bench is convinced with the plea taken by the PIO pertaining to point nos. 1, 2 & 3. The appellant is satisfied with the information provided by the PIO.
5. In view of the above, no further cause of action is left in the instant Appeal Case, The same, is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
25.02.2020

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

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Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector:125, Kharar, Distt:Mohali.

...Appellant

Vs

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Ferozepur.

First Appellate Authority-cum-
O/o State Transport Commissioner,
Punjab, Chandigarh.

...Respondents

AC.No. 4171 of 2019

PRESENT : (i) Sh. Manjinder Singh, the appellant.
(ii) Sh. Pawan Singh, Data Entry Operator is present on behalf of the PIO.

ORDER:

1. This order may be read with reference to the previous order dated 21.01.2020.
2. The appellant states that he has received the information and is satisfied.
3. Sh. Pawan Singh, Data Entry Operator is appearing on behalf of the PIO having been duly authorized by the PIO states that as per the directions of the Commission, complete information has been provided to the appellant. Copy of the same is taken on record.
4. After deliberations and perusal of the record as available on the file, it is ascertained that the PIO has complied with the orders of the Commission. The appellant has expressed his satisfaction and wants to close the case.
5. In view of the above, no further cause of action is left in the instant Appeal Case, The same, is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
25.02.2020

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

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Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector:125, Kharar, Distt:Mohali.

...Appellant

Vs

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Jalandhar.

First Appellate Authority-cum-
O/o State Transport Commissioner,
Punjab, Chandigarh.

...Respondents

AC.No. 4168 of 2019

PRESENT : (i) Sh. Manjinder Singh, the appellant.
(ii) Sh. Vikram Singh, Clerk is present on behalf of the PIO.

ORDER:

1. This order may be read with reference to the previous order dated 21.01.2020.
2. The appellant states that till today, no information has been provided to him by the PIO.
3. Sh. Vikram Singh, Clerk is appearing on behalf of the PIO having been duly authorized by the PIO states that he has brought the information to deliver it personally to the appellant. Copy of the same is handed over to the appellant for his perusal. After going through the information, the appellant has expressed his satisfaction over the same.
4. After deliberations and perusal of the record as available on the file, it is ascertained that the PIO has complied with the orders of the Commission. The appellant is satisfied with the information provided by the PIO.
5. In view of the above, no further cause of action is left in the instant Appeal Case, The same, is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
25.02.2020

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

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Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector:125, Kharar, Distt:Mohali.

...Appellant

Vs

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Bathinda.

First Appellate Authority-cum-
O/o State Transport Commissioner,
Punjab, Chandigarh.

...Respondents

AC.No. 4169 of 2019

PRESENT : (i) Sh. Manjinder Singh, the appellant.
(ii) Sh. Pawan Kumar, Steno is present on behalf of the PIO.

ORDER:

1. This order may be read with reference to the previous order dated 21.01.2020.
2. The appellant states that inspite of the directions of the Commission during the previous hearing, no information has been provided to him by the PIO.
3. Sh. Pawan Kumar, Steno is appearing on behalf of the PIO having been duly authorized by the PIO files an affidavit mentioning therein that information as sought by the appellant is not available in their official records. It is related to a Private Company i.e. AGROS IMPEX (I) PVT LTD and appellant can access the inputs from the concerned company.
4. After deliberations on the case and examination of documents as available on file, it emerges that the PIO has not gone into the details of the case. Information sought by the appellant pertains both to public authority as well as Private Company.
5. The Bench thus overrules the plea taken by the PIO and directs him to make available the information to the appellant which is available in their official records, before the next hearing. The affidavit filed by the PIO is not acceptable being factually incorrect.
6. The matter to come up for further hearing now on **23.03.2020 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
25.02.2020

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

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Sh. Manjinder Singh,
2469, Sunny Enclave,
Sector:125, Kharar, Distt:Mohali.

...Appellant

Vs

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Faridkot.

First Appellate Authority-cum-
O/o State Transport Commissioner,
Punjab, Chandigarh.

...Respondents

AC.No. 4170 of 2019

PRESENT : (i) Sh. Manjinder Singh, the appellant.
(ii) None is present on behalf of the PIO.

ORDER:

1. This order may be read with reference to the previous order dated 21.01.2020.
2. The appellant states that inspite of the directions of the Commission during the previous hearing, no information has been provided to him by the PIO.
3. The PIO is absent for today's hearing without any intimation to the Commission. He was also not present during the previous hearing.
4. After deliberations and perusal of the record as available on the file, it is ascertained that the PIO has not complied with the orders of the Commission. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed adversely.
5. In view of the above, PIO O/o Secretary, Regional transport Authority, Faridkot is directed to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty not be imposed upon him for willful delay/denial of the information to the RTI applicant and why the compensation not be awarded to the appellant under Section 19 (8)(b) of the Act for detriment suffered. In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, 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.

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AC.No. 4170 of 2019

6. The PIO is also directed to provide the complete information to the appellant as per his RTI application before the next hearing.

7. The matter to come up for further hearing now on **23.03.2020 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh
25.02.2020**

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

(Regd. Post)

**CC: Public Information Officer O/o Secretary, Regional Transport Authority,
Faridkot (By Name)**

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Sh. Kashmir Singh Bhinder, PPS(Retd),
S/o Sh. Kartar Singh, Residing # 2414,
Phase-11, Mohali.

...Appellant

Vs

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block Dharamkot at Kot Isse Khan,
Distt:Moga.

First Appellate Authority-cum-
O/o District Development and Panchayat Officer,
Moga.

...Respondents

AC.No. 4406 of 2019

AC.No.4407 of 2019

Alongwith

AC.No.4408 of 2019

PRESENT : (i) Sh. Kashmir Singh Bhinder, the appellant.
(ii) Sh. Jagdeep Singh, ADO on behalf of the PIO.

ORDER:

1. The RTI applications are dated 07.08.2019, 21.08.2019 and 08.08.2019 vide which the appellant has sought information as enumerated in his RTI applications. First appeals were filed with the First Appellate Authority (hereinafter FAA) on 24.09.2019 and the second appeals were filed in the Commission on 27.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 26.02.2020 by the Commission.

3. The appellant filed three appeals with the Commission. As these appeals relate to the same subject and department i.e. Block Development and Panchayat Officer, Block Dharamkot at Kot Isse Khan, Distt:Moga, they have been clubbed for hearing.

4. The appellant states that he has received partial information from the respondent.

5. Sh. Jagdeep Singh, ADO is appearing on behalf of the O/o Block Development and Panchayat Officer, Moga states that some additional time be given to him to provide the balance of information to the appellant. He states that the information sought for by the appellant is voluminous and thus requires some additional time for making it available.

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AC.No. 4406 of 2019

AC.No.4407 of 2019

Alongwith

AC.No.4408 of 2019

6. On the asking of the Bench, the appellant states that he has no objection to giving additional time to the PIO as per his request.

7. The Bench directs the PIO to come present in person on the next hearing. He is also directed to ensure that information sought by the appellant is provided to him, before the next hearing. In addition the PIO will file an affidavit signed by the PIO duly attested by the Notary Public during the next hearing to the effect that information sought vide Appeal Cases No. 4406 of 2019, 4407 of 2019 and 4408 of 2019 has been provided in totality as available in official records. The information provided is correct and authentic nothing has been concealed therein.

8. The matter is adjourned. To come up for further hearing on **07.04.2020 at 11.30 AM**.
Copies of the order be sent to the parties.

Chandigarh
25.02.2020

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

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