

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



Gurmeet Singh

S/o Sh. Surmukh Singh,
2072, Bhai Mastan Singh Nagar,
Sri Muktsar Sahib (Punjab)

...Appellant

V/s

Public Information Officer,

(Regd. Post)

**O/o The Superintending Engineer,
Mechanical Circle,
P.W.D. (B & R), Patiala (Punjab)**

First Appellate Authority,

**O/o The Secretary to Government of Punjab
PWD (B & R), Punjab Civil Secretariat,
Sector -1, Chandigarh**

... Respondents

Appeal Case No. 627 of 2019

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

ORDER

This case was last heard on 03.07.2019 and last opportunity was given to the respondent-PIO concerned to supply complete Information to the appellant as per queries raised by him through RTI request and submit a copy of the postal receipt in the Commission on the fixed date of hearing.

The appellant, Sh. Gurmeet Singh, who appeared in person in today's hearing, orally states that he has not received the information regarding circular of fixing of rates for monthly expenditures of petrol and repair for Government official Vehicles from office of S.D.O./Executive Engineer, Mechanical Circle, PWD(B&R), Patiala itself.

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 Superintending Engineer, Mechanical Circle, P.W.D. (B & R), Patiala, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker 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.

Last 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 or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO 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 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

Balvir Singh Sidhu

S/o Late Sh. Chuhar Singh Sidhu,
Chamber No. 1018, Court Complex,
District. Courts, Ludhiana(141001) Punjab)

...Complainant

V/s

Public Information Officer,

O/o The Secretary,
Regional Transport Authority,
Sangrur(Punjab)

... Respondents

Complaint Case No. 172 of 2019

Present : None on behalf of the complainant.
Sh. Karanvir Singh Chhina, Secretary-cum-PIO, in person.

ORDER

This case was last heard on 03.07.2019 and a penalty of Rs. 2500/- was imposed upon PIO of office of Regional Transport Authority, Sangrur .

Sh. Karanvir Singh Chhina, Secretary-cum-PIO, who appeared in person in today's hearing, submits a reply vide letter no. 10424 dated 22.08.2019 signed by Public Information Officer-cum-Secretary, Regional Transport Authority, Sangrur, stating that the complainant has been informed vide letter no. 8459 dated 23.04.2019 that there is no provision in the RTI Act, 2005 to prepare or create information as laid down under Section 7(9) of the Act and therefore, the list of vehicles of other States, which have been re-registered cannot be prepared and in regard to photocopies of NOCs of the vehicles, he was informed that the same being 3rd party information is exempted from disclosure as per Section 8 (1) (d) of the RTI Act. Through the abovementioned reply the respondent PIO has also requested to waive off the penalty imposed upon vide orders dated 03.07.2019. Appended to the abovementioned reply, a copy of another reply vide letter no. 8459 dated 23.04.2019, showing that the complainant has also been intimated about this fact. It, alongwith a copy of reply vide letter no. 8459 dated 23.04.2019, is taken on record.

The complainant, Sh. Balvir Singh Sidhu, through a letter dated 25.08.2019, which has been received in the Commission through an e-mail, has intimated the Commission that he is unable to attend today's hearing and requested for an adjournment in this case. It is taken on record.

The respondent PIO concerned is directed to file a written-reply, in the shape of an affidavit, to the queries raised by the complainant through his RTI request as per official record by or on the next date of hearing.

Sh. Karanvir Singh Chhina, Secretary, RTA, Sangrur, also made an oral-submission that he was PIO-cum-Secretary, RTA, Sangrur, when the RTI application dated 12.11.2018 was moved by the appellant, afterwards he got transferred and presently he has joined as Secretary, RTA, Sangrur recently i.e. just after the elections. Through that letter he has also intimated the Commission that the RTI application of the appellant was misplaced, which resulted in delay in supplying the requisite information to the appellant but the delay caused in the instant appeal case in supplying the information to the applicant was not due to malafide intention and requested to waive off the penalty imposed vide order dated 03.07.2019.

After going through the oral submission made by Sh. Karanvir Singh Chhina, Secretary, RTA, Sangrur during the hearing and reconsidering the written submission vide letter dated 22.08.2019 submitted by the respondent PIO, it is found that the explanation given by the respondent PIO concerned is genuine and facts of the instant appeal case deserve reconsideration in the interest of justice. Taking a lenient view and having made the fair and judicious evaluation of the facts of the instant appeal case, it is found that the reasons given by the respondent PIO concerned is genuine and in this particular case, he (PIO concerned) has succeeded in convincing the Bench that there is no malafide intention on his part in causing the delay in supplying the requisite information to the information seeker as well as appearing before the Commission.

Hence, penalty imposed upon the concerned PIO vide orders dated 03.07.2019 is **waived off** and show cause issued vide orders dated 14.05.2019 is **dropped**.

A copy of this order be sent through registered post to State Transport Commissioner, Punjab, Chandigarh, for intimation.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

(Regd. Post)

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



Balvir Singh Sidhu

S/o Late Sh. Chuhan Singh Sidhu,
Chamber No. 1018, Court Complex,
District. Courts, Ludhiana(141001) Punjab)

...Complainant

V/s

(Regd. Post) **Public Information Officer,**
O/o The Secretary,
Regional Transport Authority,
Mansa(Punjab)

... Respondents

Complaint Case No. 173 of 2019

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

ORDER

This case was last heard on 03.07.2019 and the respondent PIO concerned was directed to re-submit his reply, which was given vide letter no. 113 dated 27.11.2018, in the shape of affidavit and also send a copy in advance to the complainant through registered post and produce a copy of the postal receipt in the Commission on the fixed date of hearing.

The complainant, Sh. Balvir Singh Sidhu, through a letter dated 25.08.2019, which has been received in the Commission through an e-mail, has intimated the Commission that he is unable to attend today's hearing and requested for an adjournment in this case. It is taken on record.

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 Secretary, Regional Transport Authority, Mansa, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker 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.

Last opportunity is given to the respondent PIO concerned to appear in person before the Commission to represent this case on the next date of hearing. He is also directed to comply with the order dated 03.07.2019 passed by the Commission, by re-submitting a reply, which was given vide letter no. 113 dated 27.11.2018 in the shape of affidavit, before or on the next date of hearing and also send a copy in advance to the complainant through registered post and produce a copy of the postal receipt in the Commission on the next date of hearing to establish the fact that order of the Commission has been complied with.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

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



Rajwinder Singh Bhola,

2273/2, Opposite Guru Nanak Nagar
Senior Secondary School, Janta Nagar,
Gill Road, Ludhiana – 141003 (Punjab)

....Appellant

Versus

Public Information Officer,

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

First Appellate Authority,

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

... Respondents

Appeal Case No. 40 of 2019

Present : None on behalf of the appellant.

Sh. Gurjit Singh, Junior Draftsman, on behalf of the respondent.

ORDER

This case was last heard on 02.07.2019 and last opportunity was given to the appellant to point out deficiencies, if any, in the information supplied and send the same to the respondent PIO by registered post with a copy to the Commission.

Sh. Gurjit Singh, Junior Draftsman, who appeared on behalf of the respondent PIO in today's hearing, submits a copy of reply vide letter no. 278 dated 25.03.2019 signed by PIO-cum-A.T.P., Zone-C, Municipal Corporation, Ludhiana, showing that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Rajwinder Singh Bhola. On that reply, the appellant has put his signatures on 08.04.2019 as an acknowledgement of having received the requisite information. 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. 278 dated 25.03.2019 signed by PIO-cum-A.T.P., Zone-C, Municipal Corporation, Ludhiana, showing that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Rajwinder Singh Bhola. On that reply, the appellant has put his signatures on 08.04.2019 as an acknowledgement of having received the information, appended to which is another reply vide letter no. 63 dated 29.05.2019, showing that the requisite information at point no. 04 has also been supplied to the appellant through registered post, appended to which is a postal receipt. It, alongwith a copy of supplied information with a copy of postal receipt and other annexure, is taken on record.

The appellant, Sh. Rajwinder Singh Bhola was absent on the hearings, held on 07.05.2019 and 02.07.2019. He is again absent from today's hearing without any intimation to the Commission. He has neither pointed out any deficiency in the information supplied to him, to the respondent-PIO, nor approached the Commission with any contrary claim in that regard.

In view of the above, it is assumed that the appellant has received the information and is satisfied with the information supplied to him and does not wish to pursue his case further and hence the case is **disposed of and closed.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

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



Sham Sunder Kapoor

S/o Sh. Prem Chand Kapoor

R/o A-502, Ranjit Avenue,

Amritsar (Punjab)

....Appellant

Versus

Public Information Officer,

O/o The Secretary,

Regional Transport Authority,

Amritsar (Punjab)

First Appellate Authority,

O/o The State Transport Commissioner, Punjab,

Sector-17B, Chandigarh

...Respondents

Appeal Case No. 31 of 2019

Present : Sh. Sham Sunder Kapoor, the appellant in person with Ms. Chand Chopra, Advocate.

Sh. Wassan Singh, Junior Assistant, on behalf of the respondent.

ORDER

This case was last heard on 02.07.2019 and Sh. Darbara Singh, PIO-cum-Secretary, Regional Transport Authority, Amritsar, had submitted a reply dated 01.07.2019 signed by himself to the show cause issued to him vide orders dated 06.05.2019. The respondent PIO was directed to file a proper reply in an affidavit and send the same to the Appellant through registered post.

Sh. Wassan Singh, Junior Assistant, who appeared on behalf of the respondent PIO in today's hearing alongwith authority letter vide no. 4719 dated 22.08.2019 signed by Secretary, Regional Transport Authority, Amritsar. It is taken on record.

He also, in response to the RTI request, submits another reply vide letter no. 4713 dated 21.08.2019 signed by PIO-cum-Secretary, Regional Transport Authority, Amritsar in the Commission and also hands over a copy of the same to the appellant during the hearing in the Commission today. It, alongwith annexure, is taken on record.

The appellant, Sh. Sham Sunder Kapoor, who appeared in person in today's hearing with Ms. Chand Chopra, Advocate, expresses his dissatisfaction over the information supplied to him by the respondent PIO.

The respondent PIO concerned is directed to file a proper reply to each and every query, raised by the appellant through his RTI request as per official record by or on the next date of hearing.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 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



Sham Sunder Kapoor

S/o Sh. Prem Chand Kapoor

R/o A-502, Ranjit Avenue,

Amritsar (Punjab)

....Appellant

Versus

Public Information Officer,

(Regd. Post)

O/o The Secretary,

Regional Transport Authority,

Amritsar (Punjab)

First Appellate Authority,

O/o The State Transport Commissioner, Punjab,

Sector-17B, Chandigarh.

...Respondents

Appeal Case No. 32 of 2019

Present : Sh. Sham Sunder Kapoor, the appellant in person with Ms. Chand Chopra, Advocate.

Sh. Wassan Singh, Junior Assistant, on behalf of the respondent.

ORDER

This case was last heard on 02.07.2019 and Sh. Darbara Singh, PIO-cum-Secretary, Regional Transport Authority, Amritsar, had submitted a reply dated 01.07.2019 signed by himself to the show cause issued to him vide orders dated 06.05.2019. The respondent PIO was directed to send the certified copies of the required information with page numbering to the Appellant through registered post or in person.

The appellant, Sh. Sham Sunder Kapoor, appeared in person in today's hearing with Ms. Chand Chopra, Advocate, expresses his dissatisfaction over the information supplied to him by the respondent PIO.

Sh. Wassan Singh, Junior Assistant, who appeared on behalf of the respondent PIO in today's hearing alongwith authority letter vide no. 47 dated 22.08.2019 signed by Secretary, Regional Transport Authority, Amritsar. A copy of the same is taken on record.

He also orally states that information would be given to the appellant positively and requests for an adjournment in this case.

The respondent PIO concerned is directed to file a proper reply to the queries raised by the appellant through his RTI request before the next date of hearing.

The respondent PIO concerned is also directed to appear in person before the Commission to represent this case on the next date of hearing so that the facts of this case could be cleared. A copy of this order be sent to him through registered post.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

Sham Sunder Kapoor

S/o Sh. Prem Chand Kapoor
R/o A-502, Ranjit Avenue,
Amritsar (Punjab)

....Appellant

Versus

Public Information Officer,

(Regd. Post) O/o The Secretary,
Regional Transport Authority,
Amritsar (Punjab)

First Appellate Authority,

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

...Respondents

Appeal Case No. 33 of 2019

Present : Sh. Sham Sunder Kapoor, the appellant in person with Ms. Chand Chopra, Advocate.
Sh. Wassan Singh, Junior Assistant, on behalf of the respondent.

ORDER

This case was last heard on 02.07.2019 and the respondent PIO was directed to send the certified copies of the required information with page numbering to the Appellant through registered post or in person.

Sh. Wassan Singh, Junior Assistant, who appeared on behalf of the respondent PIO in today's hearing alongwith authority letter vide no. 47 dated 22.08.2019 signed by Secretary, Regional Transport Authority, Amritsar. A copy of the same is taken on record.

He also submits a reply vide letter no. 4562 dated 26.07.2019 signed by PIO-cum-Secretary, Regional Transport Authority, Amritsar, showing that in response to the RTI request, the required information, consisting of 136 pages, has already been given to the appellant, Sh. Sham Sunder Kapoor through registered post. It, alongwith a copy of postal receipt, is taken on record.

The appellant, Sh. Sham Sunder Kapoor, who appeared in person in today's hearing with Ms. Chand Chopra, Advocate, orally states that irrelevant information has been given to him by the respondent PIO and through a letter dated 19.08.2019, certain deficiencies have been pointed out by the appellant as he requires only details of the seven vehicles i. e. i) PB02AL 0575 ; ii) PB02BW 3636 ; iii) PB02BN 4011 I ; iv) PB02CC 1588 ; v) PB02BL 1025 ; vi) PB02BL 1606 and viii) PB02AS 0001.

After examining the documents placed on record, it is found that a copy of the letter dated 19.08.2019, sent by the appellant, has been received in the Commission vide Diary No. 16035 dated 22.08.2019. It is taken on record.

The respondent-PIO is directed to file a proper written reply, regarding which the information has been sought for by the appellant through RTI request, on the next date of hearing.

The respondent PIO concerned is also directed to appear in person before the Commission to represent this case on the next date of hearing so that the facts of this case could be cleared. A copy of this order be sent to him through registered post.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

After examining the documents placed on record, it is found that a copy of the letter dated 19.08.2019, sent by Sh. Ankush Chowdhary (Advocate for the appellant) the appellant, has been received in the Commission vide Diary No. 16035 dated 22.08.2019. It is taken on record.

The respondent-PIO is directed either to supply the certified copies of the required Information, after removing the deficiencies pointed out through letter dated 19.08.2019, to the appellant before the next date of hearing positively and if any information is not available in the official record, he/she (respondent-PIO concerned) will file a reply, in writing, specifically mentioning about 07 vehicles i. e. i) PB02AL 0575 ; ii) PB02BW 3636 ; iii) PB02BN 4011 ; iv) PB02CC 1588 ; v) PB02BL 1025 ; vi) PB02BL 1606 and viii) PB02AS 0001, regarding which the information has been sought for by the appellant through RTI request, on the next date of hearing.

The respondent PIO concerned is also directed to appear in person before the Commission to represent this case on the next date of hearing so that the facts of this case could be cleared. A copy of this order be sent to him through registered post.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

Sham Sunder Kapoor

S/o Sh. Prem Chand Kapoor
R/o A-502, Ranjit Avenue,
Amritsar (Punjab)

....Appellant

Versus

Public Information Officer,

(Regd. Post) O/o The Secretary,
Regional Transport Authority,
Amritsar (Punjab)

First Appellate Authority,

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

...Respondents

Appeal Case No. 34 of 2019

Present : Sh. Sham Sunder Kapoor, the appellant in person with Ms. Chand Chopra, Advocate.
Sh. Wassan Singh, Junior Assistant, on behalf of the respondent.

ORDER

This case was last heard on 02.07.2019 and the respondent PIO was directed to send the certified copies of the required information with page numbering to the Appellant through registered post or in person.

Sh. Wassan Singh, Junior Assistant, who appeared on behalf of the respondent PIO in today's hearing alongwith authority letter vide no. 47 dated 22.08.2019 signed by Secretary, Regional Transport Authority, Amritsar. A copy of the same is taken on record.

He also submits a reply vide letter no. 4564 dated 26.07.2019 signed by PIO-cum-Secretary, Regional Transport Authority, Amritsar, showing that in response to the RTI request, the required information, consisting of 310 pages, has already been given to the appellant, Sh. Sham Sunder Kapoor through registered post. It, alongwith a copy of postal receipt, is taken on record.

The appellant, Sh. Sham Sunder Kapoor, who appeared in person in today's hearing with Ms. Chand Chopra, Advocate, orally states that incomplete information has been given to him by the respondent PIO and through a letter dated 19.08.2019, certain deficiencies have been pointed out by the appellant.

After examining the documents placed on record, it is found that a copy of the letter dated 19.08.2019, sent by Sh. Ankush Chowdhary (Advocate for the appellant), has been received in the Commission vide Diary No. 16042 dated 22.08.2019. It is taken on record.

The respondent-PIO is directed to supply the certified copies of the required Information, after removing the deficiencies pointed out through letter dated 19.08.2019, to the appellant before the next date of hearing positively.

The respondent PIO concerned is also directed to appear in person before the Commission to represent this case on the next date of hearing so that the facts of this case could be cleared. A copy of this order be sent to him through registered post.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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



Sham Sunder Kapoor
S/o Sh. Prem Chand Kapoor
R/o A-502, Ranjit Avenue,
Amritsar (Punjab)

....Appellant

Versus

Public Information Officer,
(Regd. Post) O/o The Secretary,
Regional Transport Authority,
Amritsar (Punjab)

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

...Respondents

Appeal Case No. 35 of 2019

Present : Sh. Sham Sunder Kapoor, the appellant in person with Ms. Chand Chopra, Advocate.
Sh. Wassan Singh, Junior Assistant, on behalf of the respondent.

ORDER

This case was last heard on 02.07.2019 and Sh. Darbara Singh, PIO-cum-Secretary, Regional Transport Authority, Amritsar, had submitted a reply dated 01.07.2019 signed by himself to the show cause issued to him vide orders dated 06.05.2019. The respondent PIO was directed to send the certified copies of the required information with page numbering to the Appellant through registered post or in person.

Sh. Wassan Singh, Junior Assistant, who appeared on behalf of the respondent PIO in today's hearing alongwith authority letter vide no. 47 dated 22.08.2019 signed by Secretary, Regional Transport Authority, Amritsar. A copy of the same is taken on record.

He also orally states that in response to the RTI request, a reply vide letter no. 1311 dated 16.04.2018 has already been given to the appellant, Sh. Sham Sunder Kapoor, intimating him that a committee was constituted to trace the relevant official record as the concerned clerk, in whose custody the official record was lying, was got transferred to office of R. T. A., Jalandhar and he did not hand over the record to any official of RTA, Amritsar and afterwards he expired and whatever record was found, a report was sent to concerned Secretary.

After examining the documents placed on record, it is found that the above-mentioned reply given vide letter no. 1311 dated 16.04.2018, alongwith annexure, is placed in the case-file.

The appellant, Sh. Sham Sunder Kapoor, who appeared in person in today's hearing with Ms. Chand Chopra, Advocate, expresses his dissatisfaction over the same and also intimated the Commission that he requires only details of the missing driving license registers for the period from 01.06.1999 till date i. e. 05.06.2018 (the date, RTI request was filed by the appellant) and he has filed a re-joinder dated Nil to the reply filed by the respondent (which is placed in the case-file).

The respondent PIO concerned is directed to file a proper reply to the queries raised by the appellant through his RTI request before the next date of hearing.

The respondent PIO concerned is also directed to appear in person before the Commission to represent this case on the next date of hearing so that the facts of this case could be cleared. A copy of this order be sent to him through registered post.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

Sham Sunder Kapoor
S/o Sh. Prem Chand Kapoor
R/o A-502, Ranjit Avenue,
Amritsar (Punjab)

....Appellant

Versus

(Regd. Post) **Public Information Officer,**
O/o The Secretary,
Regional Transport Authority,
Amritsar (Punjab)

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

...Respondents

Appeal Case No. 36 of 2019

Present : Sh. Sham Sunder Kapoor, the appellant in person with Ms. Chand Chopra, Advocate.
Sh. Wassan Singh, Junior Assistant, on behalf of the respondent.

ORDER

This case was last heard on 02.07.2019 and Sh. Darbara Singh, PIO-cum-Secretary, Regional Transport Authority, Amritsar, had submitted a reply dated 01.07.2019 signed by himself to the show cause issued to him vide orders dated 06.05.2019. The respondent PIO was directed to send the certified copies of the required information with page numbering to the Appellant through registered post or in person.

The appellant, Sh. Sham Sunder Kapoor, appeared in person in today's hearing with Ms. Chand Chopra, Advocate.

Sh. Wassan Singh, Junior Assistant, who appeared on behalf of the respondent PIO in today's hearing alongwith authority letter vide no. 47 dated 22.08.2019 signed by Secretary, Regional Transport Authority, Amritsar. A copy of the same is taken on record.

He also submits a reply vide letter no. 4672 dated 13.08.2019 signed by PIO-cum-Secretary, Regional Transport Authority, Amritsar, showing that in response to the RTI request, a reply has already been given to the appellant, Sh. Sham Sunder Kapoor through registered post. It, alongwith a copy of postal receipt, is taken on record.

The appellant, Sh. Sham Sunder Kapoor, who appeared in person in today's hearing with Ms. Chand Chopra, Advocate, expresses his dissatisfaction over the same and also intimated the Commission that he requires only details of the offline license(s) converted into online license(s) by generating a backlog entry/number and he has filed a re-joinder dated Nil to the reply filed by the respondent (which is placed in the case-file).

The respondent PIO concerned is directed to file a proper reply to the queries raised by the appellant through his RTI request before the next date of hearing.

The respondent PIO concerned is also directed to appear in person before the Commission to represent this case on the next date of hearing so that the facts of this case could be cleared. A copy of this order be sent to him through registered post.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

Naresh Kumar

S/o Sh. Hari Krishan,
R/o N.H. 318, Mohalla Neela Mahal,
P.O. New Green Market, New Dana Mandi,
Jalandhar - 144008 (Punjab)

...Appellant

V/s

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

First Appellate Authority,
O/o The Secretary,
Regional Transport Authority,
Jalandhar(Punjab)

... Respondents

Appeal Case No. 738 of 2019

Present : Sh. Naresh Kumar, the appellant in person.
Ms. Nayan, Secretary-cum-PIO, in person.

ORDER

This case was last heard on 03.07.2019 and last opportunity was given to the PIO/Respondent to supply the complete information to the Appellant by registered post and produce a copy of the postal receipt, in the Commission. A penalty of Rs. 2500/- was also imposed upon Public Information Officer office of Regional Transport Authority, Jalandhar.

The appellant, Sh. Naresh Kumar and Ms. Nayan, Secretary-cum-PIO, RTA, who appeared before the Bench of the undersigned to attend another case, orally requested that the above-mentioned case, which was adjourned for 27.08.2019 vide orders dated 03.07.2019, be heard today itself.

Ms. Nayan, Secretary-cum-PIO, who appeared in person in today's hearing, orally states that she has brought the requisite information in the Commission so that the same could be handed over to the appellant, Sh. Naresh Kumar during the hearing. She also handed over the same to the appellant during the hearing in the Commission today. She also submits a reply vide letter no. 6113 dated 20.08.2019, showing that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Naresh Kumar vide letter no. 4410 dated 20.06.2019. She also hands over a copy of the same to the appellant during the hearing in the Commission today. A copy of the same alongwith a copy of supplied information is taken on record. It, alongwith a copy of reply, is taken on record.

She also submits a copy of challan receipt dated 22.08.2019, showing that penalty amount, which was imposed vide orders dated 03.07.2019, has been deposited. A copy of the challan receipt is taken on record.

The appellant, Sh. Naresh Kumar, who appeared in person in today's hearing, through a letter dated 26.08.2019, has acknowledged that he has received the requisite information and satisfied with the information supplied. It is taken on record.

Since the information stands supplied and 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 : 26th August, 2019

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

Naresh Kumar

S/o Sh. Hari Krishan,
R/o N.H. 318, Mohalla Neela Mahal,
P.O. New Green Market, New Dana Mandi,
Jalandhar - 144008 (Punjab)

...Appellant

V/s

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

First Appellate Authority,
O/o The Secretary,
Regional Transport Authority,
Jalandhar(Punjab)

... Respondents

Appeal Case No. 739 of 2019

Present : Sh. Naresh Kumar, the appellant in person.
Ms. Nayan, Secretary-cum-PIO, in person.

ORDER

This case was last heard on 03.07.2019 and last opportunity was given to the PIO/Respondent to supply the complete information to the Appellant by registered post and produce a copy of the postal receipt, in the Commission. A penalty of Rs. 2500/- was also imposed upon Public Information Officer office of Regional Transport Authority, Jalandhar.

Ms. Nayan, Secretary-cum-PIO, who appeared in person in today's hearing, orally states that she has brought the requisite information in the Commission so that the same could be handed over to the appellant, Sh. Naresh Kumar during the hearing. She also handed over the same to the appellant during the hearing in the Commission today. She also submits a reply vide letter no. 6114 dated 20.08.2019, showing that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Naresh Kumar vide letter no. 4857 dated 27.06.2019. She also hands over a copy of the same to the appellant during the hearing in the Commission today. A copy of the same alongwith a copy of supplied information is taken on record. It, alongwith a copy of reply, is taken on record.

She also submits a copy of challan receipt dated 22.08.2019, showing that penalty amount, which was imposed vide orders dated 03.07.2019, has been deposited. A copy of the challan receipt is taken on record.

The appellant, Sh. Naresh Kumar, who appeared in person in today's hearing, through a letter dated 26.08.2019, has acknowledged that he has received the requisite information and satisfied with the information supplied. 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 : 26th August, 2019

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

Ms. Shruti, Advocate,
82, Labour Colony,
Backside Scooter Market, Gill Road,
Ludhiana (Punjab)

...Appellant

V/s

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

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

... Respondents

Appeal Case No. 45 of 2019

Present : None on behalf of the appellant.
Sh. Ravinder Singh, Accountant (Accounts Branch), on behalf of the respondent.

ORDER

This case was last heard on 02.07.2019 and Sh. Satish Kumar, Head Draftsman, Zone-C and Sh. Ravinder Singh, Accountant, were directed to appear in person to clear the facts of this case and to bring requisite information in the Commission. The Respondent PIO was also directed to supply the requisite information to the Appellant through registered post. The Appellant was advised to point out deficiencies in the information to the respondent PIO by registered post with a copy to the Commission and also to represent this case in person or through any of her representative.

Sh. Ravinder Singh, Accountant (Accounts Branch), who appeared on behalf of the respondent PIO in today's hearing, orally states that whatever information is available in the Accounts Branch has been given to the appellant.

After examining the documents placed on record, it is found that on the hearing, held on 02.07.2019, Sh. Satish Kumar, Head Draftsman, Zone - C, was directed to appear in person to clear the facts of this case and to send the requisite information to the Appellant through registered post, but neither he appeared before the Commission nor has sent any other document/postal receipt, showing that the requisite information has been supplied to the Appellant. Moreover, as most of the information sought for by the appellant through RTI request relates with office of Assistant Town Planner Office of Municipal Corporation, Zone A, Ludhiana, a copy of this order be

sent to Assistant Town Planner Office of Municipal Corporation, Zone A, Ludhiana alongwith RTI request with the advice 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.

The appellant, Ms. Shruti, Advocate, was absent on hearings, held on 14.03.2019, 07.05.2019 and 02.07.2019. She is again absent from today's hearing without any intimation to the Commission.

Last opportunity is also given to the appellant to represent her case in person or through any of her representative on the next date of hearing or it would be assumed that the appellant is satisfied with the information supplied to her and does not wish to pursue this case further, accordingly, the case would be decided on merits.

Sh. Ravinder Singh, Accountant (Accounts Branch), is exempted from personal appearance in further hearings of this case.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

(Regd. Post)

**The Assistant Town Planner ,
O/o The Commissioner,
Municipal Corporation,
Zone- A, Ludhiana (Punjab)**

Encl : RTI Request

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

....Appellant

Versus

- i) Public Information Officer,**
O/o The State Transport Commissioner, Punjab
Sector-17, Chandigarh
- ii) Public Information Officer**
O/o The Secretary,
Regional Transport Authority,
Patiala(Punjab)

First Appellate Authority,
O/o The Deputy Secretary to Govt. of Punjab
Department of Transport,
Punjab Civil Secretariat-2,
Sector- 9,Chandigarh

...Respondents

Appeal Case No. 3931 of 2018

Present : Sh. Manjit Singh, the appellant in person.
i) Sh. Gural Singh, APIO O/o State Transport Commissioner,
Punjab, Chandigarh ;
ii) Sh. Charanjit Taneja, Clerk O/o R T A, Patiala ;
iii) Sh. Pramod Kumar, Data Entry Operator O/o R T A, Patiala , on
behalf of the respondent.

ORDER

This case was last heard on 03.07.2019 and the Respondent PIO was directed to supply the requisite information to the Appellant through registered post. The Appellant was advised to point out deficiencies in the information to the respondent PIO by registered post with a copy to the Commission and also to represent this case in person or through any of his representative.

Sh. Gural Singh, APIO office of State Transport Commissioner, Punjab, Chandigarh ; Sh. Charanjit Taneja, Clerk and Sh. Pramod Kumar, Data Entry Operator, both officials of office of R T A, Patiala, who appeared on behalf of the respondent PIO in today's hearing, hand over the requisite information to the appellant, Sh. Manjit Singh, during the hearing in the Commission today and also submit a reply vide letter no. 6996 dated 22.08.2019. It is taken on record. .

After going through the supplied information, the appellant, Sh. Manjit Singh, who appeared in person in today's hearing, orally states that the information supplied to him is not as per queries raised by him through RTI request.

The respondent PIO concerned is directed to facilitate the applicant to inspect the relevant official record on 27.08.2019 at 11:00 A. M. so that the appellant could identify the required information. He is also directed to collect the required fee from the appellant and supply the required information, which would be identified by the appellant after inspection, to him by the next date of hearing.

The appellant is also advised to avail the opportunity to visit the office of the respondent PIO concerned to inspect the relevant official record on 27.08.2019 at 11:00 A. M. to identify the information and take certified copies of the same after depositing the required fee to the respondent PIO concerned.

Both the parties mutually agreed to it during the hearing today.

Sh. Gurpal Singh, APIO office of State Transport Commissioner, Punjab, Chandigarh, is exempted from personal appearance in further hearings of this case.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

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

....Appellant

Versus

- i) Public Information Officer,**
O/o The State Transport Commissioner, Punjab
Sector-17, Chandigarh
- ii) Public Information Officer**
O/o The Secretary,
Regional Transport Authority,
Patiala(Punjab)

First Appellate Authority,
O/o The Deputy Secretary to Govt. of Punjab
Department of Transport,
Punjab Civil Secretariat-2,
Sector- 9, Chandigarh

...Respondents

Appeal Case No. 3932 of 2018

Present : Sh. Manjit Singh, the appellant in person.
i) Sh. Gurpal Singh, APIO O/o State Transport Commissioner,
Punjab, Chandigarh ;
ii) Sh. Charanjit Taneja, Clerk O/o R T A, Patiala ;
iii) Sh. Pramod Kumar, Data Entry Operator O/o R T A, Patiala , on
behalf of the respondent.

ORDER

This case was last heard on 03.07.2019 and the Respondent PIO was directed to supply the requisite information to the Appellant through registered post. The Appellant was advised to point out deficiencies in the information to the respondent PIO by registered post with a copy to the Commission and also to represent this case in person or through any of his representative.

Sh. Gurpal Singh, APIO office of State Transport Commissioner, Punjab, Chandigarh ; Sh. Charanjit Taneja, Clerk and Sh. Pramod Kumar, Data Entry Operator, both officials of office of R T A, Patiala, who appeared on behalf of the respondent PIO in today's hearing, orally state that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Manjit Singh vide letter no. 5562 dated 02.07.2019. It, alongwith annexure, is placed in the case-file.

Contd...2/-

The appellant, Sh. Manjit Singh, who appeared in person in today's hearing, orally states that the information supplied to him is not as per queries raised by him through RTI request.

The respondent PIO concerned is directed to facilitate the appellant to inspect the relevant official record on 27.08.2019 at 11:00 A. M. so that the appellant could identify the required information. He is also directed to collect the required fee from the appellant and supply the required information, which would be identified by the appellant after inspection, to him by the next date of hearing.

The appellant is also advised to avail the opportunity to visit the office of the respondent PIO concerned to inspect the relevant official record on 27.08.2019 at 11:00 A. M. to identify the information and take certified copies of the same after depositing the required fee to the respondent PIO concerned.

Both the parties mutually agreed to it during the hearing today.

Sh. Gurpal Singh, APIO office of State Transport Commissioner, Punjab, Chandigarh, is exempted from personal appearance in further hearings of this case.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

Manjit Singh

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

....Appellant

Versus

Public Information Officer-cum-

O/o The Secretary,
Regional Transport Authority,
Sangrur (Punjab)

First Appellate Authority,

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

...Respondents

Appeal Case No. 3930 of 2018

Present : Sh. Manjit Singh, the appellant in person.
Sh. Karanvir Singh Chhina, Secretary, RTA, Sangrur, in person.

ORDER

This case was last heard on 03.07.2019 and last opportunity was given to the respondent PIO to supply the complete information to the Appellant by registered post and also directed to appear in person along with the postal receipt. Last opportunity was given to the respondent PIO concerned to comply with the orders dated 08.05.2019 by depositing penalty of Rs. 2,500/- in the Treasury of Punjab Government and a copy of challan receipt be submitted in the Commission.

Sh. Karanvir Singh Chhina, Secretary, RTA, Sangrur, who appeared in person in today's hearing, submits a reply vide letter no. 10425 dated 22.08.2019, signed by himself, showing that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Manjit Singh vide letter no. 6052 dated 22.08.2019. It, alongwith a copy of reply, is taken on record. Through the reply, he has also requested to waive off the penalty which was imposed vide orders dated 08.05.2019 by the Commission. It, alongwith a copy of reply, is taken on record.

The appellant, Sh. Manjit Singh, who appeared in person in today's hearing, orally states that incomplete information has been supplied to him, moreover, whatever information has been supplied to him is uncertified.

The respondent PIO concerned is directed to supply the required information to the Appellant by registered post after getting it certified positively by the next date of hearing and submit/send the postal receipt, through which information would be sent to the Appellant on the next date of hearing.

Sh. Karanvir Singh Chhina, Secretary, RTA, Sangrur, also made an oral-submission that he was PIO-cum-Secretary, RTA, Sangrur, when the RTI application dated 01.09.2018 was moved by the appellant, afterwards he got transferred and presently he has joined as Secretary, RTA, Sangrur recently i.e. just after the elections. Through that letter he has also intimated the Commission that the RTI application of the appellant was misplaced, which resulted in delay in supplying the requisite information to the appellant but the delay caused in the instant appeal case in supplying the information to the applicant was not due to malafide intention and requested to waive off the penalty imposed vide order dated 08.05.2019.

After going through the oral submission made by Sh. Karanvir Singh Chhina, Secretary, RTA, Sangrur during the hearing and reconsidering the written submission vide letter dated 22.08.2019 submitted by the respondent PIO, it is found that the explanation given by the respondent PIO concerned is genuine and facts of the instant appeal case deserve reconsideration in the interest of justice. Taking a lenient view and having made the fair and judicious evaluation of the facts of the instant appeal case, it is found that the reasons given by the respondent PIO concerned is genuine and in this particular case, he (PIO concerned) has succeeded in convincing the Bench that there is no malafide intention on his part in causing the delay in supplying the requisite information to the information seeker as well as appearing before the Commission.

Hence, penalty imposed upon the concerned PIO vide orders dated 08.05.2019 is **waived off** and show cause issued vide orders dated 30.01.2019 is **dropped**.

A copy of this order be sent through registered post to State Transport Commissioner, Punjab, Chandigarh, for intimation.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

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

(Regd. Post)

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

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH

Fax 0172-2864110 Phone No-0172-2864120

Email: psic31@punjabmail.gov.in Visit us - www.infocommpunjab.com

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



Pawan Kumar,
S/o Sh. Shiv Lal,
R/o Village- Roopana,
Teh & Distt. - Sri Muktsar Sahib-152032(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Executive Engineer,
Construction Division,
PWD B & R,
Gidderbaha (Punjab)

First Appellate Authority,
O/o The Superintending Engineer,
Construction Division,
B & R Circle, Faridkot (Punjab)

... Respondents

Appeal Case No. 668 of 2019

Present : Sh. Pawan Kumar, the appellant in person.
Sh. Nirmal Singh, Clerk, on behalf of the respondent.

ORDER

This case was last heard on 03.07.2019 and last opportunity was given to the respondent PIO concerned to facilitate the appellant to inspect the relevant official record on 24.07.2019 at 11:00 A. M. so that the appellant could identify the required information and the Executive Engineer would ensure the presence of the concerned Superintendent or PIO during the inspection of the official record. The Appellant was also advised to avail the opportunity to inspect the relevant official record on 24.07.2019 at 11:00 A. M. to identify the information. The respondent-PIO concerned was also directed to supply the information, which would be identified after inspection, to the appellant as per official record.

Sh. Nirmal Singh, Clerk, appeared on behalf of the respondent PIO in today's hearing but he is not fully aware of the facts of the instant appeal case.

The appellant, Sh. Pawan Kumar, who appeared in person in today's hearing, orally states that he has visited the office of the respondent but till date no information has been given to him.

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 Executive Engineer, Construction Division, PWD B & R, Gidderbaha, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker 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 or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO 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.

Sh. Harinder Singh Dhillon, the concerned Executive Engineer, Construction Division, PWD B & R, Gidderbaha is directed to appear in person before the Commission on the next date of hearing so that the facts of this case could be cleared. A copy of this order be sent to him through registered post.

The case is **adjourned to 29th October, 2019 (Tuesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Date : 26th August, 2019

(Regd. Post)

Sh. Harinder Singh Dhillon,
Executive Engineer,
O/o P.W.D (B & R),
Construction Division,
Gidderbaha (Punjab)

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