

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
Distt. Gurdaspur.

Versus

Public Information Officer

O/o EO, Nagar Council,
Fatehgarh Churian,
Tehsil Batala,
District Gurdaspur.

First Appellate Authority-cum-

SDM, Batala,
District Gurdaspur.

Appeal Case No. 2414 of 2019

PRESENT:

Sukhchain Singh (Appellant)-Mob. 9463518565.
Ramesh Kumar, Inspector(for the Respondent) 98141-95196

ORDER:

1. The RTI application is dated 13.4.19 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 4.7.2019 under section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing in this appeal case was held in the Commission on 22.8.19.
2. The respondent PIO represented by Ramesh Kumar, Inspector-cum-APIO and Baldev Singh, Clerk, have brought detailed information including a written reply. However, none of the documents (copies) have been attested.
3. The respondent PIO is directed to have all the pages individually attested and hand these over to the appellant within 5 working days of this hearing i.e. before 4.10.19. The respondent PIO is also directed to reframe his written reply and fill in any remaining gaps in information furnished.

4. Next hearing on 8.11.19 at 11:00 A.M. for compliance.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 26.09.2019

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
Distt. Gurdaspur.

Versus

Public Information Officer

O/o EO, Nagar Council,
Fatehgarh Churian,
Tehsil Batala,
District Gurdaspur.

First Appellate Authority,

O/o Deputy Director
Department of Local Government
Amritsar.

Appeal Case No. 2415 of 2019

Present:

Sukhchain Singh (Appellant): Mob.9463518565
Ramesh Kumar, Inspector (for the Respondent) 98141-95196

ORDER:

1. The RTI application is dated 10.4.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 4.7.2019 under section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the Commission on 22.8.19, wherein the respondent PIO was directed to furnish the requested information within 20 days, with a copy to the Commission.
2. The respondent PIO represented by Ramesh Kumar, Inspector-cum-APIO and Baldev Singh, Clerk, has brought detailed information including a written reply. However none of the documents (copies) are attested. The respondent PIO is directed to have all the pages individually attested by a competent officer and hand these over to the appellant within 5 working days of this hearing i.e. before 04.10.2019. The respondent PIO is also directed to reframe his written reply and fill any gaps in information.
3. **Next hearing on 8.11.19 at 11:00 A.M. for compliance.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 26.09.2019

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
Distt. Gurdaspur.

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Fatehgarh Churian.

First Appellate Authority,

O/o Deputy Director,
Local Government Department,
Amritsar.

Appeal Case No. 2775 of 2019

Present:

Sukhchain Singh (Appellant) Mob. 9463518565.
Ramesh Kumar, Inspector (for the Respondent) 98141-95196

ORDER:

1. The RTI application is dated 06.4.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 31.7.2019 under section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the Commission on 28.8.19, wherein the respondent PIO was directed to arrange for the appellant to inspect the record at the office of the MC Fatehgarh Churian.
2. However, in a letter addressed to this Commission on 8.9.19, the appellant contended that he visited the office of MC Fatehgarh Churian on 6.9.19, but he was not given access to any record.
3. Meanwhile, the respondent PIO, represented by Ramesh Kumar, Inspector-cum-APIO and Baldev Singh, Clerk, have brought detailed information including a written reply. But none of the pages are attested or certified.
4. The respondent PIO is directed to have all the pages individually attested by a competent officer and hand these over to the appellant within 5 working days of this hearing i.e.

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before 4.10.19. The respondent PIO is also directed to reframe his written reply and fill any gaps in information thereon.

5. Next hearing on 8.11.19 at 11:00 A.M. for compliance.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 26.09.2019

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
Distt. Gurdaspur.

Versus

Public Information Officer
O/o Sub Divisional Magistrate,
Batala,
District-Gurdaspur.

First Appellate Authority,
O/o Sub Divisional Magistrate,
Batala,
District-Gurdaspur.

Appeal Case No. 2776 of 2019

Present:

Sukhchain Singh (Appellant): Mob.9463518565.
Ramesh Kumar, inspector (for the Respondent) 98141-95196

ORDER:

1. The RTI application is dated 06.4.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 31.7.2019 under section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the Commission on 28.8.19, wherein the respondent PIO was directed to arrange for the appellant to inspect the record.
2. However, in a letter addressed to this Commission on 8.9.19, the appellant contended that he visited the office on 6.9.19, but he was not given access to any record.
3. However, the respondent PIO, represented by Ramesh Kumar, Inspector-cum-APIO and Baldev Singh, Clerk, has brought detailed information including a written reply. But none of the pages/copies are attested or certified. The respondent PIO is directed to have all the pages individually attested by a competent officer and hand these over to the

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appellant within 5 working days of this hearing i.e. before 4.10.19. The respondent PIO is also directed to reframe his written reply and fill any gaps in information thereon.

4. Next hearing on 8.11.19 at 11:00, for compliance.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 26.09.2019

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
Distt. Gurdaspur.

Versus

Public Information Officer

O/o Deputy Director,
Local Bodies,
Amritsar.

First Appellate Authority,

O/o Deputy Director,
Local Bodies,
Amritsar.

Appeal Case No. 2780 of 2019

Present:

Sukhchain Singh (Appellant): Mob.9463418565.
Ramesh Kumar, inspector (for the Respondent) 98141-95196

ORDER:

1. The RTI application is dated 21.5.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 31.7.2019 under section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the Commission on 28.8.19, wherein the respondent had contended that the appellant's request for information was vague and "not specific." This Commission directed the respondent PIO to arrange for the appellant Sukhchain Singh to personally inspect the record and retrieve copies of the documents he seeks.
2. However, in a letter to the Commission on 8.9.19, the appellant Sukhchain Singh stated that he visited the office of MC Fatehgarh Churian on 6.9.19 but wasn't allowed to inspect any of the record.
3. The respondent PIO, represented by Ramesh Kumar, Inspector-cum-APIO and Baldev Singh, Clerk, have, today, brought the requested information along with a written reply. However, none of the pages/copies are attested. Consequently, the respondent PIO is directed to have all the pages individually attested by a competent officer and hand these over to the appellant within 5 working days of this hearing i.e. before 4.10.19.

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4. Next hearing on 8.11.19 at 11:00 A.M., for compliance.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 26.09.2019

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
Distt. Gurdaspur.

Versus

Public Information Officer
O/o Deputy Commissioner
Gurdaspur.

First Appellate Authority,
O/o Deputy Commissioner,
Gurdaspur.

Appeal Case No. 2421 of 2019

Present:

Sukhchain Singh (Appellant): Mob. 9463518565.
Waryam Singh, Naib Tehsildar (for the Respondent) 98157-80463

ORDER:

1. The RTI application is dated 15.8.17 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 4.7.19 under section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the Commission on 22.8.19, wherein the respondent PIO (then represented by Baljinder Singh, Tehsildar Batala) declined the information pertaining to point No. 2 of the appellant's RTI application, contending that "no such record exists in the Tehsil office."
2. In a letter addressed to this Bench on 24.9.19, the PIO-cum-Maal officer at the office of the DC Gurdaspur, contended that the information requested does not pertain to his office, and has been transferred to the PIO at the office of the SDM at Batala.
3. The respondent PIO, represented at this hearing by Waryam Singh, Naib Tehsildar Fatehgarh Churian, has submitted a reply pertaining to point No. 3 of the appellant's RTI application pertaining to the illegal occupation of a *chappar* (pond).
4. Also, contrary to the PIO at the office of DC, Gurdaspur that this RTI application does not pertain to his office, this Commission is of the considered view that the information sought

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at points 1 and 2, in fact pertain to the office of the DC, Gurdaspur. This was also pointed out by the appellant Sukhchain Singh, during this hearing.

5. The PIO, office of the Deputy Commissioner, Gurdaspur is granted one more opportunity to submit a reply along with the information requested at points 1 and 2 of the RTI application.

6. **Next hearing on 8.11.19 at 11:00 A.M., for COMPLIANCE.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
Dated: 26.09.2019

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Manjeet Singh,
S/o Sohan Singh.
388/3, Dhandholian Road,
Patiala

Versus

Public Information Officer

O/o Secretary,
Regional Transport Authority (RTA),
Patiala.

First Appellate Authority,

O/o State Transport Commissioner,
Punjab,
Chandigarh.

Appeal Case Nos. 2451 to 2456 of 2019 (heard together)

Present:

Manjeet Singh (Appellant) Mob: 7696282813.
Tirath Singh, Junior Assistant (for the Respondent) 94647-45370

ORDER:

1. These six RTI applications are dated 18.3.19 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 9.7.19 under section 19 of the Right to Information Act, 2005 (RTI Act). At the first hearing of these appeal cases on 22.8.19, the respondent PIO, represented by advocate Ajay Sood, had sought to deny the requested information without citing any specific legal provisions. The respondent was directed to submit a written reply enumerating legally premised reasons for denying the information to the appellant.
2. The respondent PIO, represented today by Tirath Singh, junior assistant, has submitted identical replies in each of the six cases, wherein he has contended that the requested information has been sought from individual automobile dealers and that this will be furnished as soon as it is received from the aforesaid dealers. However, part of the information sought (pertaining to points No 8 and 9 of the RTI application) ought to be available with the RTA Patiala and could have been furnished forthwith.

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3. Granting him one final opportunity, this Commission directs the respondent PIO to retrieve the requested information from wherever it exists (in this instance the automobile dealers) and supply it to the appellant before the next hearing.

4. Next hearing on 8.11.19 at 11.00 A.M.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 26.09.2019

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Gurbax Singh,
Village Bholapur,
Jhabewal,
PO Ramgarh,
District Ludhiana.

Versus

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

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

Appeal Case No. 2472 of 2019

PRESENT:

Gurbax Singh (Appellant) Absent
Gurnam Kumar (for the Respondent) 80543-15516

ORDER:

1. The RTI application is dated 02.05.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on 10.7.2019 under section 19 of the Right to Information Act, 2005 (RTI Act). The first hearing of this appeal case was held in the Commission on 22.8.19, wherein the appellant Gurbax Singh stated that he was not satisfied with the information provided by the respondent PIO. The PIO was directed to submit a point wise reply to the RTI application before the next hearing i.e. today.
2. The appellant Gurbax Singh is absent without any intimation to the Commission. Meanwhile, the respondent PIO, represented by Gurnam Kumar, junior assistant. Has submitted a point wise reply as directed at the last hearing. In this he contends that most of the information requested is available "online," while providing some information by way of number of employees working at the RTA Gurdaspur. The respondent PIO has however failed to provide the location (website) of the information he claims is available online.
3. The respondent PIO is directed to furnish information regarding the location of the online information and whether this is accessible by the public, as well as the information requested at point No. 5 of the appellant's RTI application.
4. The respondent PIO is also directed to ensure that his office is also fully compliant with all the 17 sub clauses of Section 4(1)(b) of the RTI Act, 2005. This must done at the earliest possible and communicated to this Commission in writing, in no more than three months of receiving this Order.

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5. Next hearing on 8.11.19 at 11:00 A.M.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 26.09.2019