

Manjit Singh S/o Sh. Sohan Singh
President, Anti Corruption Association of India (Regd.),
H.No.388/3, Mohalla Dhandolian,
Bahera Road, Patiala,
Teh. & Distt. Patiala (Punjab)

...Appellant

V/s

Public Information Officer
O/o The State Transport Commissioner, Pb.
Sector-17, Chandigarh

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

...Respondents

Appeal Case No. 3320 of 2018

Present : Sh. Mandeep Singh, Advocate, on behalf of the Appellant.
i) Sh. Gural Singh, APIO O/o State Transport Commissioner, Punjab ;
ii) Ms. Simarpreet Kaur, APIO O/o Principal Secretary to Govt. of Punjab
Department of Transport, for the respondents.

ORDER

This case was last heard on 02.04.2019 and last opportunity was given to the PIO/Respondent, office of State Transport Commissioner, Punjab to supply the requisite information to the Appellant.

Sh. Mandeep Singh, Advocate, who appeared on behalf of the Appellant, Sh. Manjit Singh, in today's hearing, orally states that no information has been supplied to the Appellant by the respondent PIO so far.

Sh. Gural Singh, APIO office of State Transport Commissioner, Punjab and Ms. Simarpreet Kaur, APIO office of Principal Secretary to Govt. of Punjab, Department of Transport, appeared in today's hearing, orally state that the information sought for by the Appellant relates with office of Regional Transport Authority, Patiala and accordingly the RTI request of the Appellant was transferred to office of Regional Transport Authority, Patiala.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 9170 dated 05.04.2019 signed by PIO office of State Transport Commissioner, Punjab, which has been received in the Commission vide Diary No. 7266 dated 05.04.2019, has intimated the Commission that the information sought for by the Appellant relates with office of Regional Transport Authority, Patiala and accordingly the RTI request of the Appellant was transferred to office of Regional Transport Authority, Patiala under Section 6 (3) of the RTI Act vide letter no. 110111 dated 27.06.2018.

As the RTI request of the Appellant is of 21.06.2018 and the First hearing in this case was held on 05.12.2018 and the above-mentioned reply has been submitted in the Commission on 05.04.2019, which is after four months of the proceedings of this case and at present stage, not acceptable.

Accordingly, the respondent-PIO concerned is directed to supply the certified copies of the required information to the appellant, after collecting the same from the concerned office, as per his queries raised in his RTI request, through registered post before the next date of hearing so that the Appellant could point-out deficiencies, if any, in the information which would be supplied to him.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

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

Manjit Singh S/o Sh. Sohan Singh
President, Anti Corruption Association of India (Regd.),
H.No.388/3, Mohalla Dhandolian,
Bahera Road,
Patiala (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Secretary to Govt. of Pb.
Department of Transport, Punjab
Punjab Civil Sectt.-2, Chandigarh.

Public Information Officer,
O/o The State Transport Commissioner, Pb.
Sector 17, Chandigarh.

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

...Respondents

Appeal Case No. 3315 of 2018

Present : Sh. Mandeep Singh, Advocate, on behalf of the Appellant.
i) Sh. Gurpal Singh, APIO O/o State Transport Commissioner, Punjab ;
ii) Ms. Simarpreet Kaur, APIO O/o Principal Secretary to Govt. of Punjab
Department of Transport, for the respondents.

ORDER

This case was last heard on 02.04.2019 and last opportunity was given to the PIO/Respondent office of State Transport Commissioner, Punjab to supply the requisite information to the Appellant.

Sh. Mandeep Singh, Advocate, who appeared on behalf of the Appellant, Sh. Manjit Singh, in today's hearing, orally states that no information has been supplied to the Appellant by the respondent PIO so far.

Sh. Gurpal Singh, APIO office of State Transport Commissioner, Punjab and Ms. Simarpreet Kaur, APIO office of Principal Secretary to Govt. of Punjab, Department of Transport, appeared in today's hearing, orally state that the information sought for by the Appellant relates with office of Regional Transport Authority, Patiala.

As the RTI request of the Appellant is of 02.07.2018 and the First hearing in this case was held on 05.12.2018 and the representatives of the respondent has intimated the Commission today only about this fact that the information sought for by the Appellant relates with office of Regional Transport Authority, Patiala i. e. after four months of the proceedings of this case, which at present stage, is not acceptable.

Accordingly, the respondent-PIO concerned is directed to supply the certified copies of the required information to the appellant, after collecting the same from the concerned office, as per his queries raised in his RTI request, through registered post before the next date of hearing so that the Appellant could point-out deficiencies, if any, in the information which would be supplied to him.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

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

Manjit Singh S/o Sh. Sohan Singh
President, Anti Corruption Association of India (Regd.),
H.No.388/3, Mohalla Dhandolian,
Bahera Road,
Patiala (Punjab)

....Appellant

V/s

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

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

...Respondents

Appeal Case No. 3319 of 2018

Present : Sh. Mandeep Singh, Advocate, on behalf of the Appellant.
i) Sh. Gurpal Singh, APIO O/o State Transport Commissioner, Punjab ;
ii) Ms. Simarpreet Kaur, APIO O/o Principal Secretary to Govt. of Punjab
Department of Transport, for the respondents.

ORDER

This case was last heard on 02.04.2019 and last opportunity was given to the PIO/Respondent office of State Transport Commissioner, Punjab to supply the requisite information to the Appellant.

Sh. Gurpal Singh, APIO office of State Transport Commissioner, Punjab and Ms. Simarpreet Kaur, APIO office of Principal Secretary to Govt. of Punjab, Department of Transport, appeared in today's hearing, submit a reply vide letter no. 11218 dated 26.04.2019 showing that in response to the RTI request, the requisite information has already been supplied to the appellant, Sh. Manjit Singh vide letter no. 4250 dated 06.02.2019 as per official record through registered post and again sent vide letter no. 11219 dated 26.04.2019. He also hands over a copy of the same to Sh. Mandeep Singh, Advocate (representative of the applicant) during the hearing in the Commission today. A copy of the same alongwith a copy of supplied information is taken on record.

After going through the information given, Sh. Mandeep Singh, Advocate, who appeared on behalf of the Appellant, Sh. Manjit Singh, in today's hearing, orally intimates the Commission that through RTI request, the Appellant has demanded copy of the attendance-register for the period from 01.01.2018 to 30.06.2018 and the respondent has provided him information from January, 2019 to June, 2019.

Contd...2/-

The respondent-PIO concerned is directed to supply the certified copies of the required information, for the period from 01.01.2018 to 30.06.2018 , to the appellant through registered post before the next date of hearing.

The Appellant is advised to confirm whether he has received the information or not from the respondent PIO concerned, by or on the next date of hearing.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

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

Manjit Singh

S/o Sh. Sohan Singh
President, Anti Corruption Association of India (Regd.),
H.No. 388/3, Mohalla Dhandolian,
Bahera Road,
Patiala (Punjab)

....Appellant

Versus

Public Information Officer

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

The Public Information Officer

O/o The Sub Divisional Magistrate,
Talwandi Sabo,
Distt. Bathinda (Punjab)

First Appellate Authority,

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

...Respondents

Appeal Case No. 3926 of 2018

Appeal Case No. 3927 of 2018

Appeal Case No. 3929 of 2018

Present : Sh. Mandeep Singh, Advocate, on behalf of the Appellant.
Sh. Gurnam Singh, Clerk O/o Sub Divisional Magistrate, Talwandi Sabo, on
behalf of the respondent.

ORDER

This case was last heard on 19.03.2019 and Shri Gurnam Singh, Clerk appeared on behalf of PIO of office of Sub Divisional Magistrate, Talwandi Sabo and handed over the copies of Form 24 (Motor Vehicle Register). The Appellant intimated the Commission that incomplete information has been given to him as he has demanded certified copies the record relating to the numbers in the series PB-45A whatever are lying scanned in the computer. On this, the representative of the PIO/Respondent, stated that the office computer would be checked.

Sh. Mandeep Singh, Advocate, who appeared on behalf of the Appellant, Sh. Manjit Singh, in today's hearing, orally states that complete information has not been supplied to the Appellant by the respondent PIO so far.

Sh. Gurnam Singh, Clerk office of Sub Divisional Magistrate, Talwandi Sabo, who appeared in today's hearing, orally states that the required information, which is to be supplied to the Appellant, could not prepared due to elections and seeks an adjournment in this case.

Contd...2/-

After examining the documents placed on record, it is found that the respondent through a reply vide letter no. 31 dated 14.05.2019 signed by Sub Divisional Magistrate, Talwandi Sabo, which has been received in the Commission vide Diary No. 10169 dated 20.05.2019, has intimated the Commission that he is unable to attend today's hearing and has requested for an adjournment in this case. Through that reply, he has also intimated the Commission that the required information, which is to be supplied to the Appellant, could not be prepared due to elections. It is taken on record.

None is present on behalf of PIO of office of Secretary, Regional Transport Authority, Bathinda in today's hearing and he has also not sent any intimation regarding his non-availability.

Nevertheless, another opportunity is given to the Respondent PIOs concerned of office of Secretary, Regional Transport Authority, Bathinda and Sub Divisional Magistrate, Talwandi Sabo to supply the certified copies of the required information to the appellant as per official record before the next date of hearing. They are also directed to appear in person before the Commission to represent this case on the next date of hearing.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

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



Ms. Kulwant Kaur D/o Sh. Anup Singh,
172, NAC, Manimajra
Chandigarh(U.T.)

...Appellant

Versus

Public Information Officer,
O/o The Assistant Inspector General,
GRP, Pb., Patiala (Punjab)

First Appellate Authority,
O/o The D. I. G., Pb.
Railway Police PB, GRP, Patiala (Punjab)

...Respondents

Appeal Case No. 1790 of 2018

Present : None on behalf of the Appellant.
Ms. Harpreet Kaur, Sub Inspector, on behalf of the respondent.

ORDER

This case was last heard on 02.04.2019 and the appellant handed over a copy of the deficiencies, pointed out by him to the representative of PIO/Respondent during the hearing. Ms. Harpreet Kaur, S. I. Came present on behalf of respondent and gave assurance that the entire remaining information would be supplied to the Appellant by registered post. The PIO was directed to supply the information after removing deficiencies to the Appellant and also to produce postal receipt on the fixed date of hearing. The appellant was also advised to come present on the fixed date of hearing.

Ms. Harpreet Kaur, Sub Inspector, who appeared on behalf of the respondent PIO in today's hearing, submits a point-wise reply vide letter no. 12030 dated 01.05.2019 signed by Public Information Officer-cum-Assistant Inspector General, GRP, Pb., Patiala, showing that in response to the RTI request, the requisite information has already been supplied to the appellant, Ms. Kulwant Kaur vide letter no. 12030 dated 01.05.2019. It is taken on record.

The Appellant, Ms. Kulwant Kaur, through a letter dated 21.05.2019, which has been received in the Commission vide Diary No. 10275 dated 21.05.2019, has intimated the Commission that she is unable to attend today's hearing and requested for an adjournment in this case. Through that letter, she has also intimated the Commission that incomplete information has been supplied to him by the respondent PIO so far. It is taken on record.

An opportunity is given to the applicant to point out deficiencies in the information supplied to him, in writing to the respondent PIO and the respondent PIO is directed to remove the same by the next date of hearing.

Last opportunity is also given to the appellant to represent her case in person or through her representative on the next date of hearing or the case would be decided on merits.

The case is adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

(Sanjiv Garg)
State Information Commissioner
Punjab



Er. A.K. Mahajan,
H. No B-485, Sec -IV, Phase II,
New Shimla -171009 (H.P.)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Improvement Trust, Pathankot(Punjab)

First Appellate Authority,
O/o The Addl. Director,
Department Of Local Govt.,
Punjab, Sector-35A, Chandigarh.

...Respondents

Appeal Case No. 2166 of 2018

Present : None on behalf of the Appellant.
i) Sh. Bharat Bhushan, Legal Assistant O/o Improvement Trust, Pathankot
ii) Ms. Kavita Arora, Advocate ;
iii) Sh. Paramjit Singh, Senior Assistant O/o Local Government, Pb.,
Chandigarh, for the respondents.

ORDER

This case was last heard on 01.04.2019 and last opportunity was given to the PIO/Respondent to give correct information to the Appellant by registered post and the Appellant was also advised to point out deficiencies, if any, to the PIO/Respondent.

Sh. Bharat Bhushan, Legal Assistant office of Improvement Trust, Pathankot alongwith Ms. Kavita Arora, Advocate and Sh. Paramjit Singh, Senior Assistant office of Local Government, Pb., Chandigarh, who appeared on behalf of the respondents in today's hearing, submit a reply vide letter dated 24.05.2019 duly attested signed by Executive Officer-cum-Public Information Officer, Improvement Trust, Pathankot, appended to which is a copy of notification no. 7/1/13(17)1LG/4LG2/399622 dated 23.01.2015, proceeding of resolution dated 14.01.2015 and a lay out plan. They also produce a copy of postal receipt dated 22.05.2019 and another postal receipt dated 27.05.2019, showing that the above mentioned documents have already been sent to the Appellant. It, alongwith annexure, is taken on record.

The Appellant, Er. A.K. Mahajan, is not present in today's hearing.

An opportunity is given to the applicant to point out deficiencies in the information supplied to him, in writing to the respondent PIO and the respondent PIO is directed to remove the same by the next date of hearing.

Last opportunity is also given to the appellant to represent her case in person or through her representative on the next date of hearing or the case would be decided on merits.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

(Sanjiv Garg)
State Information Commissioner
Punjab

Manjinder Singh
(President, Human Rights & Environment
Protection Organisation),
S/o Sh. Jita Singh,
R/o #699, Block-I, BRS Nagar,
Ludhiana-141012(Punjab)

...Appellant

V/s

Public Information Officer
O/o The Regional Transport Authority
Gurdaspur (Punjab)

First Appellate Authority-cum-
The State Transport Commissioner, Punjab
Sector-17, Chandigarh

...Respondents

Appeal Case No. 3300 of 2018

Present : Sh. Manjinder Singh, the Appellant, in person.
Sh. Gurmeet Singh, Motor Vehicle Inspector, on behalf of the respondent.

ORDER

This case was last heard on 01.04.2019 and PIO/Respondent was directed to supply the complete information to the Appellant by the fixed date of hearing.

Sh. Gurmeet Singh, Motor Vehicle Inspector, who appeared on behalf of the respondent PIO in today's hearing, orally states that he has brought the requisite information in the Commission to be handed over to the appellant, Sh. Manjinder Singh.

After going through the information given by the representative of the respondent during the hearing, the Appellant, Sh. Manjinder Singh, who appeared in person in today's hearing, gives in writing that he has received the requisite information and is satisfied with the same. He also asks for filing of his case.

Since the information stands supplied, the case is **disposed of and closed.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

(Sanjiv Garg)
State Information Commissioner
Punjab

Manjinder Singh
(President, Human Rights & Environment
Protection Organisation),
S/o Sh. Jita Singh,
R/o #699, Block-I, BRS Nagar,
Ludhiana-141012(Punjab)

...Appellant

V/s

Public Information Officer
O/o The Sub Divisional Magistrate-
-cum-Registering & Licensing Authority,
Fatehgarh Sahib (Punjab)

Public Information Officer
O/o The Regional Transport Authority
Patiala (Punjab).

First Appellate Authority-cum-
The State Transport Commissioner, Punjab
Sector-17, Chandigarh.

...Respondents

Appeal Case No. 3303 of 2018

Present : Sh. Manjinder Singh, the Appellant, in person.
None on behalf of the respondent.

ORDER

This case was last heard on 01.04.2019 and PIO/Respondent was directed to supply the complete information to the Appellant by the fixed date of hearing.

The Appellant, Sh. Manjinder Singh, who appeared in person in today's hearing, orally states that no information has been supplied to him by the respondent PIO so far.

Today, none is present on behalf of the Respondent/PIOs of office of Regional Transport Authority Patiala and Sub Divisional Magistrate-cum-Registering & Licensing Authority, Fatehgarh Sahib. They have also not sent any intimation regarding their non-availability. The Commission took a serious view of this casual approach of the Respondent/PIOs.

In view of the above, **a show cause notice under Section 20 (1) of the RTI Act is issued to ;**

1. **Public Information Officer Office of Regional Transport Authority, Patiala;;**
2. **Public Information Officer Office of Sub Divisional Magistrate-cum-Registering & Licensing Authority, Fatehgarh Sahib ;**

as to why penalty be not imposed upon them 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 PIOs are 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.

They may take note that in case they do not file their submissions and do not avail themselves of the opportunity of personal hearing on the next date fixed, it will be presumed that they have nothing to say and the Commission shall proceed to take further proceedings against them ex-parte. A copy of the RTI request be sent to them for ready reference through registered post.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

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

(Regd. Post) i) **Public Information Officer**
O/o The Sub Divisional Magistrate-
-cum-Registering & Licensing Authority,
Fatehgarh Sahib (Punjab)

Encl : RTI Request

(Regd. Post) ii) **Public Information Officer**
O/o The Regional Transport Authority
Patiala (Punjab)

Encl : RTI Request

Ramandeep Singh Ahluwalia,
Ward No 18, St. No -2, Kartar Nagar,
Amloh Road, Khanna-141401(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Municipal Council, Amloh,
Distt. Fatehgarh Sahib (Punjab)
First Appellant Authority,
O/o The Regional Deputy Director,
Urban Local Govt., 1st Floor, Mini Sectt.
Ferozepur Road, Ludhiana (Punjab)

..... Respondents

Appeal Case No. 3254 of 2018

Present : None on behalf of the Appellant.
Sh. Charanjit Singh, Executive Officer-cum-PIO, Gobindgarh (Addl Charge as
E.O., Amloh) in person.

ORDER

This case was last heard on 01.04.2019 and a penalty of Rs.2500/- (Rupees Two thousand Five hundred only) was imposed upon the concerned PIO/Respondent office of Executive Officer, Municipal Council, Amloh, District Fatehgarh Sahib. PIO/Respondent was also directed to supply the complete information to the Appellant and also to appear in person alongwith proof of having deposited the penalty amount.

The Appellant, Sh. Ramandeep Singh Ahluwalia, through a letter dated 27.05.2019, 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.

Sh. Charanjit Singh, Executive Officer-cum-PIO, Gobindgarh (Addl Charge as E.O., Amloh) , who appeared in person, in today's hearing, orally states that he has taken the charge as Executive Officer (Additional) at Amloh on 11.03.2019 and seeks an adjournment in this case so that samples could be given to the Appellant.

The respondent PIO concerned is directed to facilitate the appellant on 04.06.2018 at 11:00 A. M. in collecting the required samples.

The Appellant is advised to avail the opportunity to visit the office of the respondent on 04.06.2018 at 11:00 A. M. to get the required samples.

Last opportunity is also given to the respondent PIO concerned to comply with the orders dated 01.04.2019 by depositing penalty of Rs. 2500/-, which was imposed upon the concerned PIO/Respondent vide orders dated 01.04.2019.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**
Copies of the orders be sent to the parties.

Dated : 27th May, 2019

(Sanjiv Garg)
State Information Commissioner
Punjab



Ramandeep Singh Ahluwalia,
Ward No 18, St. No -2,
Kartar Nagar, Amloh Road,
Khanna-141401(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Municipal Council, Amloh Road,
Khanna,
Distt. - Ludhiana(Punjab)

First Appellant Authority
O/o The Regional Deputy Director,
Urban Local Govt., 1st Floor, Mini Sectt.
Ferozepur Road, Ludhiana (Punjab)

..... Respondents

Appeal Case No. 3251 of 2018

Present : None on behalf of the Appellant.
Sh. Ajay Kumar, Junior Engineer, on behalf of the respondent.

ORDER

This case was last heard on 01.04.2019 and a penalty of Rs.2500/- (Rupees Two thousand Five hundred only) was imposed upon the concerned PIO/Respondent. PIO/Respondent was also directed to supply the complete information to the Appellant and also to appear in person alongwith proof of having deposited the penalty amount.

The Appellant, Sh. Ramandeep Singh Ahluwalia, through a letter dated 27.05.2019, 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.

Sh. Ajay Kumar, Junior Engineer, who appeared on behalf of the respondent PIO in today's hearing, orally states that in response to the RTI request, the requisite information has already been supplied to the Appellant, Sh. Ramandeep Singh Ahluwalia. He also submits a reply vide letter no. 928 dated 24.05.2019 signed by Public Information Officer, Municipal Council, Khanna, stating that cheque bearing no. 078544 dated 22.05.2019 amounting to Rs. 2500/- as penalty amount is prepared and after getting it signed from the concerned Executive Officer, would be deposited in the Treasury. It is taken on record.

Last opportunity is also given to the respondent PIO concerned to comply with the orders dated 01.04.2019 by depositing penalty of Rs. 2500/-, which was imposed upon the concerned PIO/Respondent vide orders dated 01.04.2019.

This is a grave negligence on the part of PIO/Respondent in not depositing the penalty amount in the Government Treasury till date. Also despite of giving several opportunities to the concerned Public Information Officer office of Commissioner, Municipal Corporation, Jalandhar, he has failed to appear before the Commission in the above mentioned Appeal case. Hence, a **Bailable Warrant** in the name of Public Information Officer of office of Executive Officer, Municipal Council, Khanna, District Ludhiana, is issued through Senior Superintendent of Police, Khanna for the appearance of the concerned PIO on the next date of hearing.

A copy of this order be sent to the Senior Superintendent of Police, Khanna through registered post to ensure the compliance of the above said order.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

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

BAILABLE WARRANT OF PRODUCTION

Appeal Case No. 3251 of 2018

Next Date of hearing : 17th July, 2019(Wednesday) at 11:00 A. M.

To

(Regd. Post)

The Senior Superintendent of Police,
Khanna (Punjab)

Whereas Public Information Officer of office of Executive Officer, Municipal Council, Khanna, District Ludhiana, has failed to appear before the State Information Commissioner despite of giving several opportunities to comply with the earlier orders passed by the Commission in the above mentioned Appeal case. Therefore, you are hereby directed to serve this Bailable Warrant in the name of Public Information Officer of office of Executive Officer, Municipal Council, Khanna, District Ludhiana, to appear before the State Information Commissioner, Punjab at Red Cross Bhawan, Sector 16, Madhya Marg, Chandigarh on **17th July, 2019(Wednesday) at 11:00 A. M.** to produce necessary relevant evidence/documents pertaining to the RTI queries.

Dated : 27th May, 2019

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

Ramandeep Singh Ahluwalia,
Ward No 18, St. No -2,
Kartar Nagar, Amloh Road,
Khanna-141401(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Municipal Council, Amloh Road,
Khanna,
Distt. - Ludhiana(Punjab)

First Appellant Authority
O/o The Regional Deputy Director,
Urban Local Govt., 1st Floor, Mini Sectt.
Ferozepur Road, Ludhiana (Punjab)

..... Respondents

Appeal Case No. 3253 of 2018

Present : None on behalf of the Appellant.
Sh. Ajay Kumar, Junior Engineer, on behalf of the respondent.

ORDER

This case was last heard on 01.04.2019 and a penalty of Rs.2500/- (Rupees Two thousand Five hundred only) was imposed upon the concerned PIO/Respondent. PIO/Respondent was also directed to supply the complete information to the Appellant and also to appear in person alongwith proof of having deposited the penalty amount.

The Appellant, Sh. Ramandeep Singh Ahluwalia, through a letter dated 27.05.2019, 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.

Sh. Ajay Kumar, Junior Engineer, who appeared on behalf of the respondent PIO in today's hearing, submits a reply vide letter no. 908 dated 22.05.2019 signed by Public Information Officer, Municipal Council, Khanna, showing that a reply was sent to the Appellant, offering him to visit the office of the respondent to get the sample. It is taken on record.

Sh. Ajay Kumar, Junior Engineer, orally intimates the Commission that the Appellant has not visited the office of the respondent to get the required sample till date.

The respondent PIO concerned is directed to facilitate the appellant on 10.06.2018 at 11:00 A. M. in collecting the required samples.

The Appellant is advised to avail the opportunity to visit the office of the respondent on 10.06.2018 at 11:00 A. M. to get the required samples.

Sh. Ajay Kumar, Junior Engineer, further submits a reply vide letter no. 928 dated 24.05.2019 signed by Public Information Officer, Municipal Council, Khanna, stating that cheque bearing no. 078544 dated 22.05.2019 amounting to Rs. 2500/- as penalty amount is prepared and after getting it signed from the concerned Executive Officer, would be deposited in the Treasury. It is taken on record.

Last opportunity is also given to the respondent PIO concerned to comply with the orders dated 01.04.2019 by depositing penalty of Rs. 2500/-, which was imposed upon the concerned PIO/Respondent vide orders dated 01.04.2019.

This is a grave negligence on the part of PIO/Respondent in not depositing the penalty amount in the Government Treasury till date. Also despite giving several opportunities to the concerned Public Information Officer office of Commissioner, Municipal Corporation, Jalandhar, he has failed to appear before the Commission in the above mentioned Appeal case. Hence, a **Bailable Warrant** in the name of Public Information Officer of office of Executive Officer, Municipal Council, Khanna, District Ludhiana, is issued through Senior Superintendent of Police, Khanna for the appearance of the concerned PIO on the next date of hearing.

A copy of this order be sent to the Senior Superintendent of Police, Khanna through registered post to ensure the compliance of the above said order.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

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

BAILABLE WARRANT OF PRODUCTION

Appeal Case No. 3253 of 2018

Next Date of hearing : 17th July, 2019(Wednesday) at 11:00 A. M.

To

(Regd. Post)

The Senior Superintendent of Police,
Khanna (Punjab)

Whereas Public Information Officer of office of Executive Officer, Municipal Council, Khanna, District Ludhiana, has failed to appear before the State Information Commissioner despite of giving several opportunities to comply with the earlier orders passed by the Commission in the above mentioned Appeal case. Therefore, you are hereby directed to serve this Bailable Warrant in the name of Public Information Officer of office of Executive Officer, Municipal Council, Khanna, District Ludhiana, to appear before the State Information Commissioner, Punjab at Red Cross Bhawan, Sector 16, Madhya Marg, Chandigarh on **17th July, 2019(Wednesday) at 11:00 A. M.** to produce necessary relevant evidence/documents pertaining to the RTI queries.

Dated : 27th May, 2019

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

Labh Singh Sandhu
S/o Sh. Harwinder Singh
Advocate, Ch.No.573,
Yadvindra Court Complex,
Patiala (Punjab)

...Complainant

Versus

Public Information Officer
O/o The Director,
Technical Education
& Industrial Training Deptt., Punjab
Sector-36A, Chandigarh (U.T.)

..Respondent

Complaint Case No. 684 of 2018

Present : Sh. Nikhil Batta, Advocate, on behalf of the Complainant.
i) Sh. Bhajan Singh, Superintendent-cum-APIO ;
ii) Sh. Racchpal Singh, Senior Assistant, on behalf of the respondent.

ORDER

This case was last heard on 01.04.2019 and Sh. Nikhil Batta, Advocate appeared on behalf of Appellant. He stated that the complainant has pointed out the deficiencies vide letter dated 15.03.2019 no information has been supplied on Points No. I, II, IV, V, VI & VI till date. Sh. Racchpal Singh, Sr. Assistant and Sh. Lakesh Kumar, SA (the representative of PIO) who were present on that hearing, stated that the relates information has been asked from the field ITIs and only on receipt of the same, it can be supplied. The concerned PIO was directed to give in writing that apart from this, there is no other information available with them.

Sh. Bhajan Singh, Superintendent-cum-APIO and Sh. Racchpal Singh, Senior Assistant, who appeared on behalf of the respondent PIO in today's hearing, submit a reply vide letter no.1748 dated 27.05.2019, showing that a point-wise reply to each and every query raised by the complainant has been brought in the Commission. They also hand over the requisite information to Nikhil Batta, Advocate (representative of the complainant) during the hearing in the Commission today. It is taken on record.

After going through the supplied information, Sh. Nikhil Batta, Advocate, who appeared on behalf of the Complainant, Sh. Labh Singh Sandhu in today's hearing, orally point out certain deficiencies to the representatives of the respondent during the hearing in the Commission today.

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After examining the documents placed on record and hearing both the parties concerned, it emerges that Regarding point no. 01, the respondent stated that information has been given to the Appellant. Regarding information at point no. 02, 03, 04, 05, 06, 07 and 08 of the RTI request, the respondent stated that information is not available in the official record.

After examining the documents placed on record, it is found that in the above-mentioned reply, on some of the points of the RTI request, the respondent has replied that the record is not available in the official record and this reply of respondent at present stage i. e. after nine months of the proceedings of this case, is not acceptable.

Last opportunity is given to the respondent PIO concerned to file a proper reply to the queries raised by the Appellant through RTI request, mentioning that if any Committee was constituted to frame guidelines/instructions for spending the Student Welfare Fund by each Private ITI collected by Private ITIs from students, also mentioning whether abovementioned guidelines/instructions, if made, have been conveyed to the Government ITIs and PVT. ITIs and ITI students or not and send the same to the complainant through registered post before the next date of hearing with a copy to the Commission, failing which action would be initiated against him under the provisions of the RTI Act.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

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

Labh Singh Sandhu S/o Sh. Harwinder Singh
Advocate, Ch.No.573,
Yadvindra Court Complex,
Patiala (Punjab)

...Complainant

V/S

Public Information Officer
O/o The Director, Technical Education
& Industrial Training Deptt., Punjab
Sector-36A, Chandigarh

..Respondent

Complaint Case No. 685 of 2018

Present : Sh. Nikhil Batta, Advocate, on behalf of the Complainant.
i) Sh. Bhajan Singh, Superintendent-cum-APIO ;
ii) Sh. Racchpal Singh, Senior Assistant, on behalf of the respondent.

ORDER

This case was last heard on 01.04.2019 and Sh. Nikhil Batta, Advocate appeared on behalf of Appellant. He stated that the complainant has pointed out the deficiencies and no information has been supplied on Points No. I, II, IV, V, VI & VI till date. Sh. Racchpal Singh, Sr. Assistant and Sh. Lakesh Kumar, SA (the representative of PIO) who were present on that hearing, stated that the relates information has been asked from the field ITIs and only on receipt of the same, it can be supplied. The concerned PIO was directed to give in writing that apart from this, there is no other information available with them.

Sh. Bhajan Singh, Superintendent-cum-APIO and Sh. Racchpal Singh, Senior Assistant, who appeared on behalf of the respondent PIO in today's hearing, submit a reply vide letter no.1746 dated 27.05.2019, showing that a point-wise reply to each and every query raised by the complainant has been brought in the Commission. They also hand over the requisite information to Nikhil Batta, Advocate (representative of the complainant) during the hearing in the Commission today. It is taken on record.

After going through the supplied information, Sh. Nikhil Batta, Advocate, who appeared on behalf of the Complainant, Sh. Labh Singh Sandhu in today's hearing, orally point out certain deficiencies to the representatives of the respondent during the hearing in the Commission today.

After examining the documents placed on record and hearing both the parties concerned, it emerges that information at point no. 05 of the RTI request was exempted in earlier hearing of this case vide orders dated 03.12.2018. Regarding Information at point no. 01 of RTI request, the respondent concerned has brought the information in the Commission to be handed over to the Appellant. Regarding point no. 02, 03, 04, 06 and 07, the respondent stated that information is not available in the official record.

After examining the documents placed on record, it is found that in the above-mentioned reply, on some of the points of the RTI request, the respondent has replied that the record is not available in the official record and this reply of respondent at present stage i. e. after nine months of the proceedings of this case, is not acceptable.

Last opportunity is given to the respondent PIO concerned to file a proper reply to the queries raised by the Appellant through RTI request, mentioning that if any Committee was constituted to frame guidelines/instructions for spending of Library, Medical, Student Fund and PITSA fund by each Government ITI or collected by Government IT students alongwith status reports spending of Library, Medical, Student Fund and PITSA fund by each Government ITI, mentioning whether abovementioned guidelines/instructions, if made, have been conveyed to the Government ITIs or not and send the same to the complainant through registered post before the next date of hearing with a copy to the Commission.

After examining the documents placed on record, it emerges that the requisite information has not been supplied by the respondent PIO to the information seeker even after a period of more one year.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer office of Director, Technical Education & Industrial Training Deptt., , 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 the RTI request be sent to him alongwith this order through registered post for his ready reference.

The case is **adjourned to 17th July, 2019(Wednesday) at 11:00 A. M.**

Copies of the orders be sent to the parties.

Dated : 27th May, 2019

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

(Regd. Post)

**Public Information Officer
O/o The Director,
Technical Education
& Industrial Training Deptt., Punjab
Sector-36A, Chandigarh**