

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



Jasbir Singh,
Village Bolapur,
Jhabewal, PO Ramgarh,
District Ludhiana.

Versus

Public Information Officer,
o/o State Transport Commissioner,
SCO No. 174-175
Sector-17, Near Mehfil Hotel,
Punjab, Chandigarh.

First Appellate Authority,
o/o State Transport Commissioner,
SCO No. 174-175
Sector-17, Near Mehfil Hotel,
Punjab, Chandigarh.

Appeal Case No. 2400 of 2019

PRESENT :

(Appellant) Absent

Gurpal Singh-APIO-Superintendent (for the Respondent) 99885-74550

ORDER:

*(To be read in continuity with earlier orders on **21.9.19** and **25.9.19**)*

1. The RTI application is dated **3.9.18** vide which the appellant has sought information as enumerated in his RTI application. First appeal filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **4.07.19** under Section 19 of the Right to information Act, 2005. The case was last heard on **25.9.19**, wherein both parties were absent and the respondent PIO was issued a Show Cause notice directing him to explain the continuing delay in providing the requested information.

2. The appellant is absent without intimation to this Commission. The respondent PIO, represented by Gurpal Singh, Superintendent, has submitted that the entire information requested by the appellant in his RTI application was sent to him by Registered Post on 5.11.19.

3. The appellant is requested to go through the furnished information and inform this Commission of his satisfaction. There is presently no further cause for action in this case and this appeal case is herewith **CLOSED**.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

6.11.19

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Jasbir Singh,
Village Bolapur, Jhabewal,
PO Ramgarh,
District Ludhiana.

Versus

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

First Appellate Authority,
o/o State Transport Commissioner,
SCO No. 174-175
Sector-17, Near Mehfil Hotel,
Punjab, Chandigarh.

Appeal Case No. 2402 of 2019

PRESENT :

(Appellant) Absent

Shiv Kumar, Data Entry Operator (for the Respondent) 98142-99842

ORDER:

*(To be read in continuity with earlier orders on **21.9.19** and **25.9.19**)*

1. The RTI application is dated **9.4.19** 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 **4.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **25.9.19**, wherein both parties were absent and the respondent PIO, who failed to appear for two successive hearings, was issued a Show Cause Notice.

2. The appellant is absent without intimation to this Commission. The respondent PIO, represented by Shiv Kumar, Data Entry Operator, has submitted a copy of the information that was sent to the appellant on 4.11.19 by registered post.

3. The appellant is absent for the second successive hearing today, and this Commission has constrained to conclude that he is no longer wishes to pursue this appeal case, which is herewith **CLOSED**.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

6.11.19

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Jasbir Singh,
Village Bolapur,
Jhabewal,
PO Ramgarh,
District Ludhiana.

Versus

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

First Appellate Authority
o/o State Transport Commissioner,
SCO No. 174-175
Sector-17, Near Mehfil Hotel,
Punjab, Chandigarh.

Appeal Case No. 2410 of 2019

PRESENT :
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **21.9.19** and **25.9.19**)

1. The RTI application is dated **13.8.18** 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. The case was last heard on **25.9.19**, wherein both parties were absent and were granted one final opportunity to be heard in person on **6.11.19**.

2. Both parties are absent. The appellant has e-mailed the Commission that he has still not received the requested information and has appealed that the PIO be directed to furnish this.

3. The respondent PIO is absent for the second successive time and that too without any intimation to the Commission.

4. The respondent PIO is herewith ordered to SHOW CAUSE as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **13.8.19**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) proviso there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.”

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5. Next hearing on 27.12.19 at 11:00 am.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

6.11.19

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Jasbir Singh,
Village Bolapur,
Jhabewal,
PO Ramgarh,
District Ludhiana.

Versus

Public Information Officer,
o/o State Transport Commissioner,
SCO No. 174-175
Sector-17, Near Mehfil Hotel,
Punjab, Chandigarh.

First Appellate Authority,
o/o State Transport Commissioner,
SCO No. 174-175
Sector-17, Near Mehfil Hotel,
Punjab, Chandigarh.

Appeal Case No. 2411 of 2019

PRESENT :

(Appellant) Absent

Gurpal Singh-APIO-Superintendent (for the Respondent) 99885-74550

ORDER:

*(To be read in continuity with earlier orders on **21.9.19** and **25.9.19**)*

1. The RTI application is dated **3.9.18** 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. The case was last heard on **25.9.19**, wherein the respondent PIO was issued a Show Cause Notice for failing to comply with this Commission's directions of **21.9.19**.

2. The appellant is absent without intimation to this Commission. The respondent PIO, represented by Gurpal Singh-APIO-Superintendent, has submitted that a reply was first sent to the appellant on 4.10.19 and sent again on 5.11.19.

3. The appellant has been absent for two successive hearings of this appeal case on 25.9.19 and today. This Commission is, therefore, constrained to conclude that the appellant is no longer interested in pursuing this appeal case, which is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner
Chandigarh.
6.11.19

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Jasbir Singh,
Village Bolapur,
Jhabewal,
PO Ramgarh,
District Ludhiana.

Versus

Public Information Officer,
o/o Secretary,
Regional Transport Authority,
Ludhiana.

First Appellate Authority,
o/o State Transport Commissioner,
SCO No. 174-175
Sector-17, Near Mehfil Hotel,
Punjab, Chandigarh.

Appeal Case No. 2477 of 2019

PRESENT :
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **21.9.19** and **25.9.19**)

1. The RTI application is dated **8.4.19** 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 **10.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **25.9.19**, wherein both parties were absent, but the respondent PIO had informed the Commission that he was to appear at a judicial court in Ludhiana. Thus he was granted another opportunity to submit a written reply.

2. Both parties are absent today.

3. The appellant has emailed this Commission that he has still not received the requested information.

4. The respondent PIO is, distressingly, absent for the second successive hearing.

5. The respondent PIO is herewith ordered to SHOW CAUSE as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on 8.4.19.

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) proviso there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply

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and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.”

6. **Next hearing on 27.12.19 at 11:00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh.
6.11.19

PUNJAB STATE INFORMATION COMMISSION

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Madhya Marg, Sector 16, Chandigarh.

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Jasbir Singh,
Village Bolapur,
Jhabewal,
PO Ramgarh,
District Ludhiana.

Versus

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

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

Appeal Case No. 2479 of 2019

PRESENT :

(Appellant) Absent

ShivKumar, Data Entry Operator (for the Respondent) 98142-99842

ORDER:

*(To be read in continuity with earlier orders on **21.9.19** and **25.9.19**)*

1. The RTI application is dated **9.4.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **10.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **25.9.19**, wherein both parties were absent, but the respondent PIO was granted another opportunity to submit a reply.
2. The appellant is absent without intimation to this Commission.
3. The respondent PIO represented by Shiv Kumar, Data Entry Operator, has submitted that the information was sent to the appellant on 4.11.19 by Registered Post.
4. The appellant is absent for the second successive hearing and this Commission is constrained to conclude that he is no longer interested for pursuing this appeal case, which is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
6.11.19

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Jasbir Singh,
Village Bolapur,
Jhabewal,
PO Ramgarh,
District Ludhiana.

Versus

Public Information Officer,
o/o Chief Administrator,
Punjab Urban Planning and Development Authority (PUDA),
Roopnagar.

First Appellate Authority,
o/o Chief Administrator,
Punjab Urban Planning and Development Authority,
Mohali

Appeal Case No. 2736 of 2019

PRESENT :

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 29.9.19 and 25.9.19)

1. The RTI application is dated **7.5.19** 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 **29.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **25.9.19**, wherein both parties were absent. The respondent PIO, who had successively ignored two notices/orders, was directed to appear in person on **6.11.19**.

2. Both parties are absent.

3. This Commission takes a highly serious view of the fact that the respondent PIO has remained absent for three successive hearings of this appeal case.

4. The respondent PIO is herewith ordered to SHOW CAUSE as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on 7.5.19.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) proviso there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.”

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5. **Next hearing on 27.12.19 at 11:00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh.
6.11.19

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Jasbir Singh,
Village Bolapur,
Jhabewal,
PO Ramgarh,
District Ludhiana.

Versus

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

First Appellate Authority,
o/o State Transport Commissioner,
SCO No. 174-175
Sector-17, Near Mehfil Hotel,
Punjab, Chandigarh.

Appeal Case No. 2741 of 2019

PRESENT :
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **29.9.19** and **25.9.19**)

1. The RTI application is dated **25.3.19** 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 **29.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **25.9.19**, wherein both parties were absent, but the respondent PIO, who was absent for the second time, was directed to appear in person on **6.11.19**.

2. Both parties are absent. The appellant has sent an email to this Commission stating that he has still not received requested information. Also, in an email on 6.11.19, the respondent PIO has expressed his inability to attend this hearing as he and his staff are busy with the 550th Birth Anniversary celebrations of Guru Nanak-ji. Under the circumstances the Commission grants the respondent PIO one more opportunity to appear in person with a written reply furnishing the requested information and explaining the inordinate delay in addressing this RTI application.

3. **Next hearing on 27.12.19 at 11:00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner
Chandigarh.
6.11.19

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Krishan Lal (advocate),
S/o Darshan Lal,
B1/171, Mohalla Chaudhrian,
Near Shiv Mandir,
Tehsil Phillaur,
District Jalandhar.

Versus

Public Information Officer,
o/o Police Commissioner,
Ludhiana.

First Appellate Authority,
o/o Police Commissioner,
Ludhiana.

Appeal Case No. 2784 of 2019

PRESENT :
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **5.9.19** and **25.9.19**)

1. The RTI application is dated **9.4.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **31.07.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **25.9.19**, wherein the respondent PIO, represented by SI Pawandev Singh, was directed to file a written reply individually addressing each one of the points on the appellant's RTI application of **9.4.19**.

2. Both parties are absent. While the appellant has failed to intimate this Commission, the respondent PIO has e-mailed to this Commission that he is preoccupied with the ongoing 550th Birth Anniversary celebrations of Guru Nanak-ji.

3. Under the circumstances, the Commission grants PIO one final opportunity to comply with its directions on 25.9.19.

4. **Next hearing is on 27.12.19 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh.
6.11.19

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Madhu Sharma,
w/o Swatantar Sharma,
4811/1, Sector 38(West),
Chandigarh

Versus

Public Information Officer,
o/o Executive Engineer,
Water Supply & Sanitation,
Division 3, Ludhiana.

First Appellate Authority,
o/o Superintending Engineer
Water Supply & Sanitation Circle,
Ludhiana.

Appeal Case No.2810 of 2019

PRESENT:

Madhu Sharma (Appellant)
(Respondent) Absent

ORDER:

(To be read in continuation with earlier orders on 13.9.19)

1. The RTI application is dated **1.6.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **2.8.19** under Section 19 of the Right to information Act, 2005. The case was last heard on **13.9.19**, wherein the respondent PIO, represented by Harjit Singh, was directed to arrange for the appellant to inspect the available record in the office of the Executive Engineer, Water Supply & Sanitation Division 3, Ludhiana. He was directed to give 100 photocopies free of cost and the appellant was told to pay for any additional copies she required.

2. The respondent PIO is absent without intimation to this Commission. Meanwhile in an email dated 23.10.19, the appellant Madhu Sharma wrote to the Commission alleging that she and her Husband were abused and threatened by contractors in the presence of Water Supply & Sanitation staff, when they visited the office on 10.10.19 for another inspection ordered by State Information Commissioner Shri Heminder Singh.

3. In view of these allegations, this Commission directs the respondent PIO, Rohit Kumar-Cum-XEN to appear in person with the information (copies and original record) as requested in the appellant's RTI application and her letter dated: 21.8.19 to him. This RTI application was filed on 1.6.19 and there is already an unacceptable delay in addressing the appellant's request.

4. The respondent PIO **Rohit Kumar, XEN, Water Supply and Sanitation, Division-3, Ludhiana**, is herewith ordered to SHOW CAUSE as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on **1.6.19**.

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“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) proviso there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.”

5. **Next hearing on 27.12.19 at 11:00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

6.11.19

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Pawan Kumar Sharma (advocate),
S/o Late Sh. Bhagwant Kishore,
585, Phase-II,
Mohali.

Versus

Public Information Officer,
o/o Superintending Engineer,
Water Supply & Sanitation, Punjab,
Chandigarh.

First Appellate Authority,
o/o Superintending Engineer,
Water Supply & Sanitation, Punjab,
Chandigarh.

Appeal Case No.2848 of 2019

PRESENT:

Pawan Kumar (Appellant) 94539-50619

Ramanpreet Singh, SDO (for the respondent) 84277-54491

ORDER:

(To be read in continuation with earlier orders on 13.9.19)

1. The RTI application is dated **15.2.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to information Act, 2005. The case was last heard on **13.9.19**, wherein the respondent PIO was directed to submit a pointwise reply to the appellant's RTI application, including details of any website etc. where some of the requested information can be publicly accessed.

2. Both parties are present. The respondent PIO, as directed by the Commission, has submitted a pointwise reply, a copy of which has been handed to the appellant. The appellant Pawan Kumar Sharma says he is satisfied with the information furnished

3. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh.

6.11.19