

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,
District Gurdaspur.

Versus

Public Information Officer,
o/o EO, Nagar Council,
Fatehgarh Churian,
Tehsil Batala,
District Gurdaspur.
First Appellate Authority-cum-
o/o SDM, Batala,
District Gurdaspur.

Appeal Case No. 2414 of 2019

PRESENT:

Sukhchain Singh (Appellant) 94635-18565
(Respondent) Absent

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 **4.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.9.19**, when the respondent PIO was directed to all the copies supplied to the appellant on that day.
2. The respondent PIO is absent but has sent an e-mail to this Commission that he is preoccupied with the 550th Birth Anniversary celebrations of Guru Nanak Dev Ji.
3. The appellant is present and has confirmed that attested copies of the information furnished at the last hearing, have been handed over to him on 10.10.19.
4. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 8.11.19

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
District 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) 94635-18565
(Respondent) Absent

ORDER:

1. The RTI application is dated **10.4.19** 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 **26.9.19**, when the respondent PIO was directed to have all copies supplied to the appellant, attested by a competent officer.
2. The respondent PIO is absent but has sent an e-mail to this Commission that he is preoccupied with the 550th Birth Anniversary celebrations of Guru Nanak Dev Ji.
3. The appellant is present and has stated that attested copies of the requested information, as directed by this Commission at the last hearing on 26.9.19, were not given to him despite three visits to the concerned office.
4. This Commission takes a very serious view of the respondent PIO's conduct and the other officers at MC Fatehgarh Churian.
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 wilful delay/denial of the information requested by the appellant as far back as on 10.4.19.

"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 and does not avail himself of the opportunity of personal hearing on the date fixed, it will be

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presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*."

6. **Next hearing on 9.1.20 at 11:00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 8.11.19

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
District 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) 94635-18565.
(Respondent) Absent

ORDER:

1. The RTI application is dated **5.8.17** 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. The case was last heard on **26.9.19**, when the PIO, o/o DC Gurdaspur was granted another opportunity to submit a written reply pertaining to points 1 and 2 of the appellant's RTI application.
2. The respondent PIO is absent but has sent an e-mail to this Commission that he is preoccupied with the 550th Birth Anniversary celebration of Guru Nanak Dev-ji.
3. The appellant is present and has stated that he has received no information from the PIO o/o D.C., Gurdaspur, to date.
4. This Commission grants the respondent PIO one final opportunity to comply with its orders of dated: 26.9.19, failing which the Commission will be constrained to initiate penal action under the RTI Act, 2005.
5. **Next hearing on 9.1.20 at 11:00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
Dated: 8.11.19

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
District 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) 94635-18565
(Respondent) Absent

ORDER:

1. The RTI application is dated **6.4.18** 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 **31.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.9.19**, when the respondent PIO was directed to have all copies supplied to the appellant, attested by a competent officer.
2. The respondent PIO is absent but has sent an e-mail to this Commission that he is preoccupied with the 550th Birth Anniversary celebration of Guru Nanak Dev-ji.
3. The appellant is present and has confirmed that, as directed by this Commission, attested copies of the information have been handed over to him on 10.10.19.
4. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 8.11.19

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
District 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) 94635-18565
(Respondent) Absent

ORDER:

1. The RTI application is dated **12.4.19** 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 **31.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.9.19**.
2. The respondent PIO is absent but has sent an e-mail to this Commission that he is preoccupied with the 550th birthday anniversary celebration of Guru Nanak Dev Ji.
3. The appellant is present and has stated that attested copies of the requested information as directed by this Commission at the last hearing on 26.9.19 were not given to him despite three visits to the concerned office.
4. This Commission takes a very serious view of the respondent PIO's conduct as well as the other officers at MC Fatehgarh Churian.
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 wilful delay/denial of the information requested by the appellant as far back as on 10.4.19.

"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 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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6. **Next hearing on 9.1.20 at 11:00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh:

Dated: 8.11.19

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Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala,
District 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) 94635-18565
(Respondent) Absent

ORDER:

1. The RTI application is dated **21.5.19** 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 **31.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.9.19**, when the respondent PIO was directed to have all copies supplied to the appellant, attested by a competent officer.
2. The respondent PIO is absent but has sent an e-mail to this Commission that he has preoccupied with the 550th Birth Anniversary celebration of Guru Nanak Dev-ji.
3. The appellant is present and has confirmed that, as directed by this Commission, attested copies of the information were handed over to him on 10.10.19.
4. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh:
Dated: 8.11.19

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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) 76962-82813.

Sham Lal, PIO-Cum-Assistant Transport Officer (Respondent) 99142-23294

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. The case was last heard on **26.9.19**, when the respondent PIO, represented by Tirath Singh, junior assistant, was directed to immediately give the appellant all information (pertaining to the RTI applications) that was already in the custody of the RTA Patiala. He was also directed to retrieve the rest of the requested information from the individual auto dealers and supply it to the appellant.

2. Both parties are present. The respondent PIO-Cum-Assistant Transport Officer, Sham Lal, has contended in a reply that the information requested pertains to third parties, who have refused to disclose it to the appellant.

3. This Commission however, is of the view that atleast some of the information in these RTI applications is available with the Public Authority concerned i.e. RTA, Patiala, and can be given forthwith. The respondent PIO has however, also pointed out that the information sought is voluminous and would amount an avoidable diversion of government all resources.

4. The respondent PIO is directed to make an assessment of how many pages the requested information will amount to and inform this Commission within 10 days. The Commission will take view whether this information can be given to the appellant or not at the next hearing.

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5. Next hearing on 9.1.20 at 11.00 am.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh:

Dated: 8.11.19

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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:

(Appellant) Absent

(Respondent) Absent

ORDER:

1. The RTI application is dated **2.5.18** 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 **10.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.9.19**, when the appellant was absent without intimation. The respondent PIO, represented by Gurnam Singh, submitted a pointwise reply to the RTI application, which stated that some of the requested information was available "online". He was directed to furnish information on the location of this online information (website etc.) where it can be accessed publicly. The respondent was also directed to ensure that his office, RTA Gurdaspur, was fully compliant with Section 4(1)(b) of the RTI Act, 2005, within three months.

2. Both parties are absent without intimation to the Commission.

3. The respondent PIO is granted one final opportunity to apprise this Commission of the compliance status of this Commission's order of 26.9.19.

4. **Next hearing on 9.1.20 at 11:00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh:

Dated: 8.11.19