PUNJAB, STATE INFORMATION COMMISSION

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Dr. Lekh Raj Kamboj, (94172-62947),

Shop No.23, Indira Market,

Fazilka-152123. …Appellant Versus

Public Information Officer

O/O PAP (Punjab Armed Police),

Complex, Jalandhar.

First Appellate Authority,

O/O Additional Director, General of Police,

Armed BNS, Jalandhar. ….. Respondents

**APPEAL CASE NO. 916 of 2018**

Present: None on behalf of appellant.

Shri Piara Singh, DSP and Shri Devinder Singh, ASI, on behalf of respondents.

**ORDER:**

In this case, Dr. Lekh Raj Kamboj, appellant, vide his RTI application dated 21-11-2017 addressed to the PIO, sought information as mentioned in his RTI application. On getting no information, he filed first appeal dated 19-12-2017 before the first appellate authority. Getting no response from the first appellate authority also, he filed a second appeal dated 10-03-2018 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. The representatives of respondents say that the whole information is available on the web site of the Department. The representatives of respondents submit a copy of written statement dated 01-05-2018 by the respondent-PIO, which is taken on record.

3. The appellant is absent without any intimation to the Commission. He is directed to be present on the next date of hearing.

4. The respondents are directed to supply the date of joining of candidates, who joined PAP, through registered post before the next date of hearing. Adjourned.

5. To come up for further hearing on **14-06-2018 at 11.00 AM.**

6. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Shri Narinderjeet Singh (94634-22558),

(Driver No.B-11-57), Sr Meet Pradhan,

PRTC Eitek, Patiala Depot. …Appellant Versus

Public Information Officer

O/O Secretary, Transport,

Mini Secretariat, Punjab,

Sector-9, Chandigarh.

First Appellate Authority,

O/O Principal Secretary,

Transport Punjab,

Civil Secretariat, Chandigarh. ….. Respondents

**APPEAL CASE NO. 879 of 2018**

Present: Shri Narinderjeet Singh, appellant, in person.

Shri Gian Chand and Shri Ashok Kumar, Senior Assistants, on behalf of respondents.

**ORDER:**

In this case, Shri Narinderjeet Singh, appellant, vide his RTI application dated 08-08-2017 addressed to the PIO, sought information as mentioned in his RTI application. On getting no information, he filed first appeal dated 23-10-2017 before the first appellate authority. Getting no response from the first appellate authority also, he filed a second appeal dated 08-03-2018 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. Today, both the parties are present. The representatives of respondents say that the information has been supplied. The appellant also confirms that he has received the information and is satisfied with the supplied information.

3. As the information stands supplied, the case is **closed and disposed**.

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Smt. Suman Rani,

Royal Country Colony,

Near Tary Da Wara,

Phagwara. …Appellant Versus

Public Information Officer

O/O Senior Superintendent of Police (Rural),

Jalandhar.

First Appellate Authority,

O/O IGP, Zonal-II,

Jalandhar. ….. Respondents

**APPEAL CASE NO. 917 of 2018**

Present: None on behalf of appellant.

Shri Ashwani Kumar, ASI, on behalf of respondents.

**ORDER:**

In this case, Smt. Suman Rani, appellant, vide her RTI application dated 22-12-2017 addressed to the PIO, sought information as mentioned in her RTI application. On getting no information, she filed first appeal dated 18.01.2018 before the first appellate authority. Getting no response from the first appellate authority also, she filed a second appeal dated 10-03-2018 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. The representative of respondents states in the court that the sought information has already been supplied by registered post. He submits a copy of the supplied information which is taken on record.

3. The appellant is absent. However, an e-mail dated 02-05-2018 is received from the appellant in which she has sought adjournment as she is ill.

4. Accordingly, the case is adjourned and fixed for further hearing on **19-06-2018 at 12.30 PM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Shri Narinderjeet Singh (94634-22558),

(Driver No.B-11-57), Sr Meet Pradhan,

PRTC Eitek, Patiala Depot. …Appellant Versus

Public Information Officer

O/O General Manager, PRTC,

Sirhindi Gate, Patiala.

First Appellate Authority,

O/O Managing Director,

PRTC, Head Office, Patiala. ….. Respondents

**APPEAL CASE NO. 893 of 2018**

Present: Shri Narinderjeet Singh, appellant, in person.

None on behalf of respondents.

**ORDER:**

In this case, Shri Narinderjeet Singh, appellant, vide his RTI application dated 03-08-2017 addressed to the PIO, sought information as mentioned in his RTI application. On getting no information, he filed first appeal dated 12-10-2017 before the first appellate authority. Getting no response from the first appellate authority also, he filed a second appeal dated 08-03-2018 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. The appellant says that no information has been supplied till date.

3. The respondents are absent without any intimation to the Commission. They are directed to be present on the next date of hearing along with the information, to be supplied to the appellant in the court. Adjourned.

4. To come up for further hearing on **19-06-2018 at 12.30 PM**.

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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**Website :-** www.infocommpunjab.com)

Shri Simranjeet Singh s/o Sh. Jagdish Singh,

H.No. 93/2, Adarsh Nagar, Basti Mithu Road,

Jalandhar. Appellant

Versus

Public Information Officer

O/O DTO-cum- Secretary,

Regional Transport Authority,

Jalandhar.

First Appellate Authority,

O/O Secretary, Regional Transport Authority,

Jalandhar. Respondents

**Appeal Case No. 1562 of 2017**

Present: None on behalf of both the parties.

**ORDER:**

Last heard on 20-03-2018 and was adjourned for today as both the parties were absent..

2. A perusal of case file shows that the respondents did not attend the court on six occasions. Neither they have supplied any information to the appellant till date.

3. The appellant is also absent. However, an e-mail dated 05-03-2018 is received in the Commission office from the appellant in which he has written that he may be exempted from personal appearance in the court. He has requested the court to direct the respondents to supply the information.

4, The respondents are directed to be present on the next date of hearing along with the information to be supplied to the appellant in the court. Adjourned.

5. To come up for further hearing on **19-06-2018 at 12.30 PM.**

6. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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**Website :-** www.infocommpunjab.com)

Shri Simranjeet Singh s/o Sh. Jagdish Singh,

H.No. 93/2, Adarsh Nagar, Basti Mithu Road,

Jalandhar. Appellant

Versus

Public Information Officer

O/O DTO-cum- Secretary,

Regional Transport Authority,

Jalandhar.

First Appellate Authority,

O/O Secretary, Regional Transport Authority,

Jalandhar. Respondents

**Appeal Case No. 1563 of 2017**

Present: None on behalf of both the parties.

**ORDER:**

Last heard on 20-03-2018 and was adjourned for today as both the parties were absent..

2. A perusal of case file shows that the respondents did not attend the court on six occasions. Neither they have supplied any information to the appellant till date.

3. The appellant is also absent. However, an e-mail dated 05-03-2018 is received in the Commission office from the appellant in which he has written that he may be exempted from personal appearance in the court. He has requested the court to direct the respondents to supply the information.

4, The respondents are directed to be present on the next date of hearing along with the information to be supplied to the appellant in the court. Adjourned.

5. To come up for further hearing on **19-06-2018 at 12.30 PM.**

6. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

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**Website :-** www.infocommpunjab.com)

Shri Simranjeet Singh s/o Sh. Jagdish Singh,

H.No. 93/2, Adarsh Nagar, Basti Mithu Road,

Jalandhar. Appellant

Versus

Public Information Officer

O/O DTO-cum- Secretary,

Regional Transport Authority,

Jalandhar.

First Appellate Authority,

O/O Secretary, Regional Transport Authority,

Jalandhar. Respondents

**Appeal Case No. 1564 of 2017**

Present: None on behalf of both the parties.

**ORDER:**

Last heard on 20-03-2018 and was adjourned for today as both the parties were absent..

2. Today also, both the parties are absent. However, an e-mail is received in the Commission office from the appellant in which he has written that he has received the sought information and the case may be closed.

3. As the information stands supplied, the case is **closed and disposed.**

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Shri Madan Lal (98723-67068)

s/o Shri Om Parkash Jain Niwas,

MCB Zone-2, H.No. 10803,

Parinda Road 18, Guru Teg Bahadur Nagar,

Bathinda-151001. …Appellant Versus

Public Information Officer

O/O Deputy Director, Animal Husbandry,

Bhagu Road, Bathinda-151001.

First Appellate Authority,

O/O Director, Animal Husbandry,

Live Stock Complex, Sector-68, SAS Nagar. ….. Respondents

**APPEAL CASE NO. 900 of 2018**

Present: Shri Madan Lal, appellant, in person.

Dr. KPS Pasricha, on behalf of respondents.

**ORDER:**

In this case, Shri Madan Lal, appellant, vide his RTI application dated 23-11-2017 addressed to the PIO, sought information on 18 points regarding dogs sterilization, castration and vaccination. On getting no information, he filed first appeal dated 23-12-2017 before the first appellate authority. Getting no response from the first appellate authority also, he filed a second appeal dated 09-03-2018 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. The respondent-APIO states that the appellant has not deposited the fee for getting the information, therefore, the sought information could not be supplied to him.

3. The appellant says that the respondents has asked him to deposit an amount of Rs.3,000/- approximately without mentioning number of pages. He requests the court to direct the respondents to supply him the exact amount of fee point-wise.

4. Accordingly, the respondents are directed to provide the details of information point-wise of 18 points as per RTI application.

5. The case is adjourned and fixed for further hearing on **12-06-2018 at 12.30 PM.**

6. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Shri Satnam Singh,

Assistant Director,

Language Department,

#102-E, Model Town, Patiala. …Appellant Versus

Public Information Officer

O/O XEN, Provincial Division,

PWD, B&R, Patiala.

First Appellate Authority,

O/O SE, Construction Circle No.1, PWD,

B&R, Mini Secretariat, Block-C, Patiala. ….. Respondents

**APPEAL CASE NO. 859 of 2018**

Present: None on behalf of appellant.

Shri Mohinder Kumar, JE, for the respondents.

**ORDER:**

In this case, Shri Satnam Singh, appellant, vide his RTI application dated 29-11-2017 addressed to the PIO, sought information as mentioned in his RTI application. On getting no information, he filed first appeal dated 12.01.2018 before the first appellate authority. Getting no response from the first appellate authority also, he filed a second appeal dated 05-03-2018 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. The representative of respondents submits a photocopy of letter dated 22-12-2017 from the Sub Divisional Engineer, Provincial Sub Division No.1, B&R, Patiala to the address of appellant. In the said letter it is written that the appellant can obtain the copies of sought information after contacting the XEN, Provincial Division No.1, on any working day.

3. It is strange that the PIO instead of supplying the sought information to the appellant is asking him to contact the XEN for getting the information. The appellant is absent. However, a letter is received from him in which he has expressed inability to attend the court and has sought adjournment.

4. The respondents are directed to be present in the court on the next date of hearing along with the information to be supplied to the appellant in the court. They are directed to depute a representative who knows about RTI Act as the person who is present in the court does not know anything about the RTI Act. Adjourned.

5. To come up for further hearing on **14-06-2018 11.00 AM.**

6. Copy of order be sent to the parties. Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Shri Onkar Singh (98887-00086),

S/o Shri Ranjeet Singh,

VPO Rorawali, Tehsil Malout,

District Sri Muktsar Sahib. ……Complainant

Versus

Public Information Officer,

O/O Secretary, Regional Transport Authority,

Jalandhar.

First Appellate Authority,

O/O Secretary, Regional Transport Authority,

Jalandhar. …….Respondent.

**COMPLAINT CASE NO. 311 of 2017**

Present: None on behalf of both the parties.

**ORDER:**

In this case, Shri Onkar Singh, appellant, vide his RTI application dated 07-11-2017 addressed to the PIO, sought information regarding old three digit number (like PIX, PIJ etc) which were transferred to the new vehicles since 2016. On getting no information, he filed first appeal dated 08-12-2017 before the first appellate authority. Getting no response from the first appellate authority also, he filed a second appeal dated 06-03-2018 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. Today, both the parties are absent without any intimation to the Commission. They are directed to be present on the next date of hearing and the case is adjourned for further hearing on **14-06-2018 at 11.00 AM.**

3. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Shri Manjit Singh (76962-82813),

S/o Shri Sohan Singh,

House No. 388/3, Dhandholian Street,

Patiala. ……Complainant

Versus

Public Information Officer,

O/O Secretary, Regional Transport Authority,

Mohali. …….Respondent.

**COMPLAINT CASE NO. 317 of 2017**

Present: Shri Manjit Singh, complainant, in person.

None on behalf of respondent.

**ORDER:**

In this case, Shri Manjit Singh, complainant, vide his RTI application dated 08.12.2017 addressed to the PIO, sought information as mentioned in his RTI application. On getting no information, he filed a complaint dated 08-03-2018 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. The complainant says that no information has been supplied till date.

3. The respondent is absent without any intimation to the Commission. Therefore, the respondent is directed to be present in the court on the next date of hearing and the case is adjourned.

4. To come up for further hearing on **19-06-2018 12.30 PM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Dr. Sandeep Kumar Gupta,

House No. 1722, Sector-14,

Hisar-125001. ……Complainant

Versus

Public Information Officer,

O/O Deputy Director, Animal Husbandry,

Sri Muktsar Sahib. …….Respondent.

**COMPLAINT CASE NO. 307 of 2017**

Present: None on behalf of complainant.

Dr. KPS Pasricha and Dr. Simratdeep Singh, on behalf of respondent.

**ORDER:**

In this case, Dr. Sandeep Kumar Gupta, complainant, vide his RTI application dated 27-07-.2017 addressed to the PIO, sought information on 6 points as mentioned in his RTI application. On getting no information, he filed a complaint dated 06-03-2018 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. The representatives of respondent state in the court that partial information has already been supplied to the complainant and the rest of the information will be provided in due course of time. They seek adjournment.

3. The complainant is absent. However, a letter dated 02-05-2018 is received in the Commission office from the complainant in which he has sought exemption from personal appearance.

4. The case is adjourned for further hearing on **19-06-2018 at 12.30 PM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Shri Ajay Kumar Sehgal s/o Sh. Jagdish Kumar,

339, Chhoti Baradari Part-1,

Near Medical College, Jalandhar City. …Appellant Versus

Public Information Officer

O/O Executive Officer-cum-PIO,

Improvement Trust, Jalandhar.

First Appellate Authority,

O/O Regional Deputy Director,

Local Govt. Master Tara Singh Nagar,

Jalandhar. ….. Respondents

**APPEAL CASE NO. 763 of 2012**

Present: None on behalf of both the parties.

**ORDER:**

This case has been remanded back to the state Information Commission by the Hon'ble High Court of Punjab and Haryana for decision afresh as per law after affording an opportunity of hearing to the parties. On receipt of this case in the Commission, it has been allocated to this Bench. Therefore a fresh hearing notice was issued to the parties for today.

2. The brief facts of this case are that Shri Ajay Kumar Sehgal filed RTI application dated 23-07-2011 with the PIO-cum- Executive Officer, Improvement Trust, Jalandhar seeking information regarding " Shourya Greens" housing project being developed by NITISHREE INFRASTRUCTURE LTD. on a land measuring 16.52 acres allotted out of 170 Acre Development Scheme by the Improvement Trust, Jalandhar.

3. The appellant wanted to inspect the whole record/documents of the project and also to allow inspection of the work. He also wanted that he may be allowed to take samples of material being used by the developers.

4. According to the PIO, the appellant inspected the concerned record on four-five occasions. The documents running into 680 pages were identified by the appellant and the same were supplied to him, after getting the fee amounting to Rs. 1360/- on 08-09-2011. The copies of plans were refused to the appellant considering it a secret and third party documents.

Contd..p/2

**Appeal Case No. 763 of 2012** -2-

5. After this, the appellant filed a first appeal with the first appellate authority on 19-01-2012. The first appellate authority directed the PIO-cum-E.O. to supply the copies of maps after getting the requisite fee of Rs. 1,000/- per map from the appellant. The appellant was also allowed to inspect the relevant record. After this, on 23-04-2012 the appellant was asked to deposit the requisite fee and to inspect the record. On 30-04-2012, the appellant inspected the record but did not deposit the fee. Instead of depositing the fee, the appellant filed a second appeal on 24-05-2012 with the Commission. Accordingly, the notice of first hearing was issued for 18-07-2012 by the then State Information Commissioner, Shri Chander Parkash.

6. On the hearing date on 18-07-2012, both the parties were present. The respondents submitted a detailed reply from the PIO-cum-E.O. Improvement Trust, Jalandhar in the court. The appellant said that the PIO had supplied partial information.

7. After hearing both the parties, the then SIC passed an order of issuing a show cause notice for imposing the penalty under Section 20(1) to the PIO and compensation to be awarded to the appellant under Section 19(8)(b) of the RTI Act, 2005. The SIC also directed the PIO to supply the information free of cost to the appellant. The PIO was also afforded an opportunity of personal hearing along with his explanation for the delay in providing the information.

8. On 22-08-2012, the respondents submitted copies sanctioned building plans running into 21 pages in the Court, which were handed over to the appellant in the court. However, the appellant demanded in the court that he may be allowed to inspect the site and to get the samples of material being used in the construction. The court directed the PIO to allow the appellant to take samples of material in the light of Section 2(j) (iii) of the RTI Act, 2005.

The court observed that the reply submitted by Shri Jatinder Singh, PIO-cum- Executive Officer, Improvement Trust, is not sufficient and the PIO was directed to furnish a new affidavit, duly attested, explaining the details as to why the full information was not provided to the appellant within the time schedule as per RTI Act. He was also directed to submit a documentary proof in the court that he was busy in the High Court on 22-08-2012.

9. On 01-11-2012, the respondents did not attend the court. The court directed the PIO to be present, in person, on the next date of hearing along with the third volume of the relevant record. On 05-12-2012, the respondent-PIO was present in the court along with third volume of record. But the certified copies could not be provided to the appellant as the record … **contd..p/3**

**Appeal Case No. 763 of 2012** -3-

was voluminous and the PIO promised to supply the documents, as indentified by the appellant, by 11.12.2012.

However, on 03-01-2013, the then SIC, Shri Chander Parkash, made a reference of a letter written by the appellant, Shri A.K.Sehgal to the CIC, which was diarised in the Commission on 27-12-2012. He wrote clearly that as the appellant had made some observations regarding his working, he should not handle this case and put up the file to CIC for passing appropriate orders. The Hon'ble CIC passed an order dated 11-01-2013, that **"be heard by CIC."**

10. Accordingly, the bench of CIC issued a fresh notice of hearing for 21-02-2013. On the said date i.e. 21-02-2013, the then CIC, after going through the record in the file, observed that the documentary information stands supplied to the appellant. The only question is whether the present information-seeker should be allowed to take samples of the material used for construction at site. Right to Information as defined in Section 2(j) permits access to taking certified samples of material held by or under the control of any public authority. The present project is a public private partnership being executed by a third private party. The PIO is required to decide the issue after following the procedure under Section 11 of the RTI Act, keeping in view of the provisions of Section 8(1)(j) and Section 2(f) and Section 2(j) of the Right to Information Act, 2005. The CIC further directed the PIO to decide the issue within a period of two months from the date of order.

11. In the light of above orders of the court, the PIO informed the Commission through a letter diarised in the Commission on 03-05-2013 stating that the said company i.e. Nitishree Infrastructure Pvt. Ltd. Surya Enclave, Jalandhar vide its letter dated 09-04-2013 had informed the PIO that their company has objection in case their record is shown to any third party in the light of Section 11 of the RTI Act. The PIO did not allow the appellant to take certified samples of the material being used by the private third party.

12. In its order on 03-06-2013, the CIC observed that the building or samples are not in the custody of respondent public authority. The third party has pleaded that it is a private company. The question is to be determined whether the RTI Act is applicable to the facts of the present case or not. He passed orders for inviting the third party to the hearing. The appellant was also called upon to adduce his evidence to establish whether the third party is a joint venture project or whether any concessions was granted by the Improvement Trust to it or not**. Contd..p/4**

**Appeal Case No. 763 of 2012** -4-

13. On 24-06-2013, 01-08-2013 and 19-08-2013, the hearings were adjourned on the request of parties. On 06-09-2013, the appellant as well as the representatives of M/S Nitishree Infrastructure Pvt. Ltd. and respondents were heard and fixed 19-09-2013 for orders.

14. On 19-09-2013, the CIC passed a detailed order running into six pages. In para No. 14 of his orders, the CIC ordered as under :-

"Accordingly, I hereby direct the respondent-PIO/ Improvement Trust, Jalandhar to permit inspection of the site and allow the appellant to draw samples of the material in accordance with the procedure laid down by the Punjab Public Works Department (B&R) for drawing of samples of govt. works within one month of this order."

The CIC further observed that complete information was given and nearly 680 pages were furnished in the very first instance, shows that there was no intentional denial of the information. Complicated issues of the fact and law were involved and PIO failed to appreciate the legal nuances of the relevant provisions of the RTI Law. This is not a fit case for imposition of penalty. With these observations, the present case filed in the Commission on 29-08-2012 is closed.

15. Aggrieved by the order of the CIC, M/S Shourya Tower Pvt. Ltd. filed a CWP No. 22615 of 2013 in the High Court of Punjab and Haryana at Chandigarh impleading the State Information Commission and others as respondents.

16. The Hon'ble Mr. Justice, Rajan Gupta, passed the following order on 02-12-2017—

"It appears that information was sought by a person who never applied for allotment of flat. He filed application as a public spirited citizen. State Commission disposed of the same with permission to the petitioner to inspect the site and to draw samples of material in accordance with the procedure laid down by PWD(B&R) Department. This court finds the order **cryptic** as no clear finding has been given on the issue whether third party has any locus standi to move application under the provisions of Right to Information Act. Besides, judgment reported as **Thalappalam Service Coop Bank Ltd Vs State of Kerala (2013) 16 SCC 82** has not been considered.

Contd…p/5

**Appeal Case No. 763 of 2012** -5-

Under the circumstances, impunged order is set-aside. Matter is remanded to the same authority for decision afresh as per law after affording of opportunity of hearing to the parties.

17. In the light of above orders of the Hon'ble High Court the parties were issued notice of hearing for today. Today, none is present on behalf of both the parties. The appellant as well as the respondents are directed to submit their view points afresh on the next date of hearing. The M/S Shourya Towers Pvt. Ltd., Jalandhar are also directed to be present on the next date of hearing with the written submission, if any. Adjourned.

18. To come up for further hearing on **19-06-2018 at 12.30 PM.**

19. Copies of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

CC: M/S Shourya Towers Pvt. Ltd.

Regd. Office-78-B, Sector D-2, Group II,

DDA Flat, Kondli Gharoli, Mayur Vihar, Phase-III, Delhi-96.

PS: After the hearing is over, Shri Jaswant Singh, XEN and Shri Mohinder Jaggi, Senior Assistant, appear in the court. They are apprised of the court proceedings.

PUNJAB, STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden, Sector-16, Chandigarh. Phone. No. i) 0172-2864118 & FAX ii) 0172- 2864125 E-mail [– psic28@punjabmail.gov.in](mailto:–%20scic@punjabmail.gov.in)

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)

Shri Rajesh Gupta, (94639-90768),

Village Maili, Tehsil Garshankar,

District Hoshiarpur-146102. …Appellant

Versus

Public Information Officer

O/O Deputy Director, Animal Husbandry, Punjab,

Government Farm, Mattewara,

District Ludhiana.

Public Information Officer

Deputy Director, Poultry & Piggery Development,

Live Stock Bhawan Sector-68, Mohali.

First Appellate Authority,

O/O Director, Animal Husbandry, Punjab

Livestock Complex, Sector-68, SAS Nagar. ….. Respondents

**APPEAL CASE NO. 320 of 2018**

Present: None on behalf of appellant.

Dr. KPS Pasricha, on behalf of respondents.

**ORDER:**

Last heard on 20-03-2018 and was adjourned for today as the appellant was not present in the court.

2. Today, the respondent-APIO states that the information has already been supplied to the appellant by registered post on 19-03-2018.

3. The appellant is again absent today. However, an e-mail is received from him in which he has sought exemption from personal appearance.

4. Accordingly, the case is adjourned and fixed for further hearing on **19-06-2018 at 12.30 PM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden, Sector 16, CHANDIGARH

( **Telephone No**. 0172-2864118, Fax-2864125-**Email:-** [psic28@punjabmail.gov.in](mailto:psic28@punjabmail.gov.in)

**Website :-** www.infocommpunjab.com)

Shri Rajesh Gupta, (94639-90768),

Village Maili, Tehsil Garshankar,

District Hoshiarpur-146102. …Appellant Versus

Public Information Officer

O/O Deputy Director, Animal Husbandry,

Livestock Complex, Sector-68, SAS Nagar.

First Appellate Authority,

O/O Deputy Director, Animal Husbandry,

Livestock Complex, Sector-68, SAS Nagar. ….. Respondents

**APPEAL CASE NO. 3310 of 2017**

Present: None on behalf of appellant.

Dr. KPS Pasricha, APIO on behalf of respondents.

**ORDER:**

This case was last heard on 06-03-2018 and was disposed of as the respondents had stated vide letter dated 05-03-2018 addressed to the appellant and with one copy to the Commission, that the sought documents were not available in the record of public authority.

2**.** However,the appellant sent an e-mail to the Commission office requesting the court to direct the respondents to submit an affidavit from the respondent-PIO stating clearly that the sought information is not available on the record of public authority.

3. Therefore, the case was reopened and was fixed for hearing for today. Today, the appellant is absent. However, through an e-mail he has sought exemption from personal appearance.

4. The respondents are directed to submit a duly attested affidavit, from the respondent-PIO, on the next date of hearing stating that the sought information as available has been supplied to the appellant and no more information is there on the record of public authority. Adjourned.

5. To come up for further hearing on **19-06-2018 at 12.30 PM.**

6. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 03-05-2018. State Information Commissioner