

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, RTI Helpline - 0172-2864100



Sh. Amir Singh,
S/o Sh. Makhan Singh,
R/o Seed Farm Pakka, Tehsil Abohar,
District Fazilka.

Versus

Sh. Amritdeep Singh,
Public Information Officer-cum-
XEN Water Supply & Sanitation
Division, Abohar, District Fazilka.
First Appellate Authority
Superintendent Engineer,
Water Supply & Sanitation,
Sri Mukatsar Sahib.

Appeal Case No. 5495 of 2023

PRESENT:

(Appellant) Absent
Satvir Pal Singh, SA (for the Respondent) 89683-92300
Naveen Kumar, JA (for the Respondent) 94149-49485

ORDER:

(To be read in continuity with earlier orders on 23.1.2024)

1. The RTI application is dated **18.04.23** vide which the appellant has sought information **regarding: “new building of the Water Supply and Sanitation department etc.,”** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.06.23** and Second Appeal was filed in the Commission on **22.08.23** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.1.2024**.
2. The appellant is absent for the second successive Hearing of this Appeal Case. The respondent PIO-cum-XEN, Sh. Amritdeep Singh, was issued a Show Cause Notice vide this Commission’s Order of 23.1.2024. He was also directed to attend today’s Hearing in person along with a written pointwise reply to the RTI application and duly attested copies of all the information sought therein. Sh. Amritdeep Singh, XEN, however, remains absent. He has instead deputed Sh. Satvir Pal Singh, SA and Sh. Naveen Kumar, JA, who have submitted a reply to the Show Cause Notice vide Letter No. 1873 Dated 18.4.2024, the same is taken on record.
3. The PIO-cum-XEN, Sh. Amritdeep Singh, is granted a final opportunity to comply with para No. 4 and 5 of this Commission’s Order of 23.1.2024. He is also directed to present himself before this Commission on Friday, i.e. 26.4.2024 at 12.00 Noon.
4. **Next Hearing on 29.4.2024 at 12.00 Noon at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
22.4.2024

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Sh. Harwinder Singh,
S/o Sh. Avtar Singh,
Village Sosan Basti, Sandhuwan Dabhli,
Tehsil & District Moga.

Versus

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

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

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

First Appellate Authority
State Transport Commissioner, Punjab,
Chandigarh.

Appeal Case No. 5644 of 2023

PRESENT:

Harwinder Singh (Appellant) 94176-22722
Sanjeev Kumar, SA o/o Ferozepur (for the Respondent) 98726-76005

ORDER:

(To be read in continuity with earlier orders on 23.1.2024)

1. The RTI application is dated **26.07.23** vide which the appellant has sought information **regarding: "Permit verification of Mini Buses etc.,"** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.08.23** and Second Appeal was filed in the Commission on **28.8.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.1.2024**.

2. Both parties are present. At the last Hearing on 23.1.2024, a Show Cause Notice was issued to the PIO, office of, Secretary, Regional Transport Authority, Faridkot, to explain the delay in addressing this RTI application. The PIO office of, Secretary Regional Transport Authority, Faridkot, has failed to make any written submission and has also not chosen to / opted to be heard in person at today's Hearing.

3. This RTI application was submitted on 26.7.2023 and as per the reply to the appellant, vide Letter No. 32 Dated 22.1.2024, the requested record was shifted to the Regional Transport Authority, Bathinda on 16.10.2023. Notably, the requested record was very much in the custody of the Regional Transport Authority, Faridkot when this RTI application was submitted on 26.7.2023. It is evident that the PIO office of, Secretary, Regional Transport Authority, Faridkot, made no effort to address this RTI application.

4. In view of the above, the Commission deems it appropriate to impose a penalty on the PIO office of, Secretary Regional Transport Authority, Faridkot, who was incumbent on the date of the receipt of this RTI application.

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Appeal Case No. 5644 of 2023

5. At the last Hearing, the Commission also directed the PIO office of, Regional Transport Authority, Faridkot, Bathinda, and Ferozepur, to attend today's Hearing in person along with duly attested copies sought therein. The PIO office of, Regional Transport Authority, Ferozepur, has made a written submission stating that, he has custody of the record pertaining to Bus Permit Nos. 975/REG/M/03 and 1046/REG/SB/03, he however, claims exemption from disclosure of the premise that the information is personal to third parties.

6. After deliberations at this Hearing, the PIO office of, Regional Transport Authority, Ferozepur, is directed to provide all information pertaining to the aforesaid Bus Permits after redacting personal information like adhar card, residential address, mobile number etc.

7. With regard to the other permits cited in the RTI application, the PIO office of, Regional Transport Authority, Faridkot and PIO office of, Regional Transport Authority, Bathinda are directed to provide duly attested copies after redaction of personal details, to the appellant, with a copy to this Commission. Failure to comply, will compel the Commission to impose strictest penalties as per the provisions of the RTI Act, 2005.

8. Next Hearing on 29.4.2024 at 12.00 Noon at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
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Sh. Harwinder Singh,
S/o Sh. Avtar Singh,
Village Sosan Basti, Sandhuwan Dabhli,
Tehsil & District Moga.

Versus

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

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

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

First Appellate Authority
Secretary, Regional Transport Authority,
Faridkot.

Appeal Case No. 5645 of 2023

PRESENT:

Harwinder Singh (Appellant) 94176-22722
Sanjeev Kumar, SA o/o Ferozepur (for the Respondent) 98726-76005

ORDER:

(To be read in continuity with earlier orders on 23.1.2024)

1. The RTI application is dated **26.07.23** vide which the appellant has sought information **regarding: "Permit verification of Mini Buses etc.,"** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.08.23** and Second Appeal was filed in the Commission on **28.8.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.1.2024**.

2. Both parties are present. At the last Hearing on 23.1.2024, a Show Cause Notice was issued to the PIO, office of, Secretary, Regional Transport Authority, Faridkot, to explain the delay in addressing this RTI application. The PIO office of, Secretary Regional Transport Authority, Faridkot, has failed to make any written submission and has also not chosen to / opted to be heard in person at today's Hearing.

3. This RTI application was submitted on 26.7.2023 and as per the reply to the appellant, vide Letter No. 27 Dated 10.11.2023, the requested record was shifted to the Regional Transport Authority, Bathinda. Notably, the requested record was very much in the custody of the Regional Transport Authority, Faridkot when this RTI application was submitted on 26.7.2023. It is evident that the PIO office of, Secretary, Regional Transport Authority, Faridkot, made no effort to address this RTI application.

4. In view of the above, the Commission deems it appropriate to impose a penalty on the PIO office of, Secretary Regional Transport Authority, Faridkot, who was incumbent on the date of the receipt of this RTI application.

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Appeal Case No. 5645 of 2023

5. At the last Hearing, the Commission also directed the PIO office of, Regional Transport Authority, Faridkot, Bathinda, and Ferozepur, to attend today's Hearing in person along with duly attested copies sought therein. The PIO office of, Regional Transport Authority, Ferozepur, has made a written submission stating that, he has custody of the record pertaining to Bus Permit Nos. 671/REG/01, 679/REG/01, and 31/REG/04, he however, claims exemption from disclosure of the premise that the information is personal to third parties.

6. After deliberations at this Hearing, the PIO office of, Regional Transport Authority, Ferozepur, is directed to provide all information pertaining to the aforesaid Bus Permits after redacting personal information like adhar card, residential address, mobile number etc.

7. With regard to the other permits cited in the RTI application, the PIO office of, Regional Transport Authority, Faridkot and PIO office of, Regional Transport Authority, Bathinda are directed to provide duly attested copies after redaction of personal details, to the appellant, with a copy to this Commission. Failure to comply, will compel the Commission to impose strictest penalties as per the provisions of the RTI Act, 2005.

8. Next Hearing on 29.4.2024 at 12.00 Noon at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

22.4.2024

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SHOW CAUSE NOTICE

Sh. Harwinder Singh,
S/o Sh. Avtar Singh,
Village Sosan Basti, Sandhuwan Dabhli,
Tehsil & District Moga.

Versus

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

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

First Appellate Authority
State Transport Commissioner, Punjab,
Chandigarh.

Appeal Case No. 5646 of 2023

PRESENT:

Harwinder Singh (Appellant) 94176-22722
Raj Kumari, PIO-cum-SA (Respondent) 98150-45082

ORDER:

(To be read in continuity with earlier orders on 23.1.2024)

1. The RTI application is dated **26.07.23** vide which the appellant has sought information **regarding: “Mini Bus permit policy cancelled by Hon’ble Punjab and Haryana High Court before 10.10.2001 etc.”**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **27.08.23** and Second Appeal was filed in the Commission on **28.8.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.1.2024**.

2. Both parties are present. As per the appellant, he was provided the requested information vide Letter No. 37364 Dated 31.10.2023, after he had submitted Second Appeal to the Commission. Notably, the PIO office of, State Transport Commissioner, Punjab, Chandigarh, at the time of submission of this RTI application on 26.7.2023, was Sh. Sher Singh, who failed to provide any reply / information to the appellant within the stipulated 30 days period, infact said reply was delayed a additional two months and provided only after the Commission issued a Notice of Hearing vide Letter No. 31923-25 Dated 21.9.2023.

3. The Commission deems it appropriate to issue this Show Cause Notice to the PIO office of, State Transport Commissioner, Punjab, Chandigarh, who was incumbent on 26.7.2023.

4. The respondent **PIO office of, State Transport Commissioner, Punjab, Chandigarh,** 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 **26.7.2023**. **If there is / are other PIO / PIOs responsible for the delay in providing the information, the incumbent PIO is directed to inform such PIO(s) of the Show Cause and direct them to appear before the Commission along with written replies.**

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Appeal Case No. 5646 of 2023

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision 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*.” Copies of this order be sent to the parties through registered post.

5. The Commission further deems it appropriate to award compensation to the appellant Sh. Harwinder Singh, who has made to much suffer for no fault of his own.

6. In view of the harassment and detriment caused to the appellant, **Sh. Harwinder Singh**, this Commission deems it appropriate to award a **compensation of Rupees Five Thousand (Rs. 5,000.00)**. This is to be paid vide a crossed cheque / demand draft, by the Public Authority, in this instance, **the office of, Transport Commissioner, Punjab, Chandigarh**, within 30 days of receiving this Order. Proof of payment is to be submitted to this Commission.

7. **Next Hearing on 29.4.2024 at 12.00 Noon at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

22.4.2024

Cc: 1. Principal Secretary to Government of Punjab, Department of Transport, Punjab Mini Secretariat, Sector-9, Chandigarh, for further necessary action.
2. Deputy Registrar, PSIC, for followup of compliance.

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Sh. Iqbal Singh,

S/o Sh. Jaswinder Singh,
Village Dera Bohar Wala,
Sutrana, Tehsil Patran,
District Patiala.

Versus

Public Information Officer-cum-

Block Development and Panchayat Officer,
Patran, District Patiala.

First Appellate Authority,

District Development and Panchayat Officer,
Patran, District Patiala.

Appeal Case No. 5470 of 2023

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 15.4.2024)

1. The RTI application is dated **8.6.23** vide which the appellant has sought information **regarding: Gram Panchayat Dera Bohar Wala from 2018 to 2023 etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.7.23** and Second Appeal was filed in the Commission on **21.08.23** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.4.2024**.

2. Both parties are absent. The case is adjourned.

3. **Next Hearing on 24.4.2024 at 12.00 Noon at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

22.4.2024

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Sh. Manjit Singh,
S/o Gurcharan Singh,
R/o Village Manemajra, Tehsil Chamkaur Sahib,
District Ropar.

Versus

Public Information Officer,
O/o Director, State Transport, Punjab, Chandigarh.
First Appellate Authority
Director, State Transport, Punjab, Chandigarh.

Appeal Case No. 5613 of 2023

PRESENT:

Manjit Singh (Appellant) 84274-98620
Smt. Sarabdeep Kaur, Senior Assistant (for the Respondent) 75083-25864

ORDER:

(To be read in continuity with earlier orders on 23.1.2024)

1. The RTI application is dated **18.05.23** vide which the appellant has sought information **regarding: "Tenders awarded to the Datar Contractor and Sai Ram Contractor etc.,"** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.7.2023** and Second Appeal was filed in the Commission on **25.8.2023** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.1.2024**.
2. Both parties are present. At the last Hearing on 23.1.2024, the appellant was absent. The respondent PIO, represented by Smt. Sarabdeep Kaur, SA, had stated as under:

"A reply was sent to the appellant vide Letter No. 1803-05 Dated 25.08.2023, wherein, the information sought at point Nos. 1, 2, and 3 was denied under Section 8(1)(d) of the RTI Act, 2005. Regarding point No. 4, the appellant was informed that information has been sought from individual bus depots and point No. 5, was denied under Section 8(1)(g) of the RTI Act, 2005."
3. At that Hearing, the appellant was advised to list specific deficiencies in the information provided to him. The appellant provided said deficiencies vide Letter Dated 12.2.2204.
4. Post deliberations, at this Hearing the Commission is of the view, that the exemption cited by the respondent PIO at points Nos. 1 to 5 are not maintainable. Accordingly, the PIO is directed to provide a fresh pointwise reply to the RTI application along with duly attested copies of the information sought therein, including CCTV Footage sought at point No. 5 for dated 2.5.2023. All the above must be submitted to the Commission on or before Friday, i.e. 26.4.2024.
5. **Next Hearing on 29.4.2024 at 12.00 Noon at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
22.4.2024