

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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Sh. Rahul Gupta, S/o Sh.Dharampal,
R/o H. No.170, St No.6, Mohalla Hargobindpura,
Jagraon, Distt:Ludhiana.

.....Appellant

Vs

Public Information Officer,

O/o Executive Officer,
Nagar Council, Jagraon,
Distt:Ludhiana.

First Appellate Authority-cum-

O/o Deputy Director,
Local Bodies Urban, Ludhiana.

.....Respondent

AC.No. 4011 of 2019

PRESENT : (i) Sh. Rahul Gupta, the appellant.
(ii) Sh. Heera Lal, Clerk on behalf of the PIO.

ORDER:

1. The RTI application is dated 10.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 10.09.2019 and the second appeal was filed in the Commission on 24.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 11.12.2019 by the Commission.

3. The appellant states that till today, no information has been provided to him by the respondent.

4. Sh. Heera Lal, Clerk is appearing on behalf of the PIO having been duly authorized by the PIO. He files reply to the Notice of the Commission mentioning therein that a letter dated 16.07.2019 has been written to the appellant to deposit fee of Rs. 2920/- towards fees of documents needed by him but the same has not been deposited. He further states that a registered letter dated 28.11.2019 has also been sent to the appellant asking him to appear for inspection of the record held with the department but he has not appeared.

5. The appellant is advised to visit the office of the respondent on any working day and peruse the original records as available in the office of the respondent with prior notice to the PIO.

Contd....p-2

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The respondent is directed to provide access to records in his office and give copies of documents needed. Photocopies of the same be provided to him duly page numbered, stamped and authenticated by the PIO. The Bench directed that the same be done, before the next date of hearing.

6. The matter is adjourned. To come up for further hearing on **22.01.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
11.12.2019**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
Punjab State Information Commissioner**

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Sh. Ashwani Kumar, S/o Sh. Kapil Dev,
H.No.B-005/00490, Dashmesh Nagar,
Kharar, Distt:Mohali.

.....Appellant

Vs

Public Information Officer,
O/o DPI(SE), Punjab,
Mohali.

First Appellate Authority
o/o DPI(SE), Punjab,
Mohali.

.....Respondent

A.C No. 4109 of 2019

Alongwith

A.C No. 4110 of 2019

PRESENT : (i) Sh. Ashwani Kumar, the appellant.
(ii) Smt. Sandeep Kaur, Sr. Assistant-cum-PIO, the respondent.

ORDER:

1. The RTI applications are both dated 25.06.2019 vide which the appellant has sought information as enumerated in his RTI applications. First appeals were filed with the First Appellate Authority (hereinafter FAA) on 20.05.2019 and second appeals were filed in the Commission on 04.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 11.12.2019 by the Commission.
3. The appellant filed two appeals with the Commission seeking information from DPI(SE), Punjab. As these appeals relate to the same subject and department, they have been clubbed for hearing.
4. The appellant states that till date, complete information has not been provided to him by the respondent and certain information is being concealed and denied.
5. Smt. Sandeep Kaur, Sr. Assistant-cum-PIO is appearing in person and states that the information as available in their records has been supplied to the appellant.
6. The appellant is advised to visit the office of the respondent on any working day and peruse the original records as available in the office of the respondent with prior notice to the PIO. The respondent is directed to provide access to records and give copies of documents demanded by the appellant. Photocopies of the same be provided to him duly page numbered, stamped and

Contd...p-2

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A.C No. 4109 of 2019

Alongwith

A.C No. 4110 of 2019

authenticated by the PIO. The Bench directed that the same be done, before the next date of hearing.

7. The matter is adjourned. To come up for further hearing on **22.01.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
11.12.2019**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
Punjab State Information Commissioner**

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Sh. Sukhwinder Singh, S/o Sh. Ramesh Kumar,
R/o VPO: Kotla Nihang, Distt:Roopnagar.

.....Complainant

Vs

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

.....Respondent

Remanded Back

First Appellate Authority

O/o State Transport Commissioner,
Punjab, Chandigarh.

C.C No. 936 of 2019

PRESENT : (i) Sh. Sukhwinder Singh, the complainant.
(ii)None is present on behalf of the respondent.

ORDER:

1. The RTI application is dated 20.05.2019 whereby the complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 24.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 11.12.2019 by the Commission.
3. The complainant states that no information has been provided to him by the PIO till date.
4. The PIO is absent for today's hearing inspite of the Notice of the Commission, which shows his disregard to the authority of the Commission.
5. The complainant had filed an RTI application with the PIO on 20.05.2019 for certain information, no response has been received by the complainant till date. The complainant thereafter filed a complaint with the Commission on 24.10.2019 under Section 18 of the RTI Act.
6. From perusal of the record as available on the file, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the complainant.

Contd...p-2

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C.C No. 936of 2019

7. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant case.

8. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

9. In view of the above, the case is **disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
11.12.2019**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
Punjab State Information Commissioner**

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Sh.Jasbir Singh,
Village: bholapur, Jhabewal,
P.O: Ramgarh, Distt:Ludhiana.

.....Appellant

Vs

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

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

.....Respondent

AC.No. 3994 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Guralp Singh, Suptd.-cum-APIO on behalf of the respondent.

ORDER:

1. The RTI application is dated 01.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 07.08.2019 and the second appeal was filed in the Commission on 24.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 11.12.2019 by the Commission.

3. The appellant is absent for today's hearing without any intimation to the Commission.

4. Sh. Guralp Singh, Suptd.,-cum-APIO is appearing on behalf of the PIO.

5. Sh. Guralp Singh, APIO had come unprepared for the hearing and was not conversant with the case. He was unable to file a reply to the Notice of the Commission inspite of being given additional time. He thereafter requested for another date of hearing to file a reply to the Notice. The conduct of Sh. Guralp Singh, APIO shows the casual attitude of the O/o State Transport Commission, Punjab in dealing with RTI applications. The PIO is directed to show cause as to why action should not be taken against him for dealing with the Notice of the hearing of State Information Commission in a casual and arbitrary manner.

6. The PIO is directed to ensure that the appellant is contacted and complete and correct information provided to him before the next date of hearing, under intimation to the Commission. The appellant is advised to come in person on the next date and in case, nothing is

Contd...p-2

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AC.No. 3994 of 2019

heard from the appellant before the next date of hearing, it will be presumed that he is not interested in pursuing the case further and the appeal case will be disposed off in absentia.

7. The matter is adjourned. To come up for further hearing on **22.01.2020 at 11.30**

AM. Copies of the order be sent to the parties.

**Chandigarh
11.12.2019**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
Punjab State Information Commissioner**

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Sh.Jasbir Singh,
Village: bholapur, Jhabewal,
P.O: Ramgarh, Distt:Ludhiana.

...Appellant

Vs

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

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

.....Respondent

AC.No. 3995 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Gurpal Singh, Suptd.-cum-APIO on behalf of the respondent.

ORDER:

1. The RTI application is dated 15.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 17.08.2019 and the second appeal was filed in the Commission on 24.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 11.12.2019 by the Commission.

3. The appellant is absent for today's hearing without any intimation to the Commission.

4. Sh. Gurpal Singh, Suptd.,-cum-APIO is appearing on behalf of the PIO.

5. Sh. Gurpal Singh, APIO had come unprepared for the hearing and was not conversant with the case. He was unable to file a reply to the Notice of the Commission inspite of being given additional time. He thereafter requested for another date of hearing to file a reply to the Notice. The conduct of Sh. Gurpal Singh, APIO shows the casual attitude of the O/o State Transport Commission, Punjab in dealing with RTI applications. The PIO is directed to show cause as to why action should not be taken against him for dealing with the Notice of the hearing of State Information Commission in a casual and arbitrary manner.

6. The PIO is directed to ensure that the appellant is contacted and complete and correct information provided to him before the next date of hearing, under intimation to the Commission. The appellant is advised to come in person on the next date and in case, nothing is

Contd...p-2

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AC.No. 3995 of 2019

heard from the appellant before the next date of hearing, it will be presumed that he is not interested in pursuing the case further and the appeal case will be disposed off in absentia.

7. The matter is adjourned. To come up for further hearing on **22.01.2020 at 11.30**

AM. Copies of the order be sent to the parties.

**Chandigarh
11.12.2019**

Sd/-
**((Lt Gen Ajae Kumar Sharma,(Retd))
Punjab State Information Commissioner**

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Sh. Surinder Singh,
H.No.12, Sector:4, Guru Gian Vihar,
Near Jawaddi Kalan, Distt:Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Regional Transport Officer,
Ludhiana.

First Appellate Authority
o/o Regional Transport Officer,
Ludhiana.

.....Respondent

A.C.No. 4021 of 2019

PRESENT: (i) Sh. Surinder Singh, the appellant.
(ii) None is present on behalf of the PIO.

ORDER

1. The RTI application is dated 29.04.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 17.06.2019 and second appeal was filed in the Commission on 24.10.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 11.12.2019 by the Commission.

3. The appellant states that till date no information has been provided to him by the respondent. He further states that a letter dated 29.11.2019 has been received by him from the PIO stating that the information is enclosed, however, no letters have been found attached.

4. The PIO is absent for today's hearing inspite of the Notice of the Commission, which shows his disregard to the authority of the Commission. The absence of the PIO is viewed seriously. The PIO is directed to show cause as to why action should not be taken against him for not attending the hearing inspite of order of the Commission. The PIO is also directed to bring the complete record related to the RTI application of the appellant, on the next date of hearing for the perusal of the appellant.

5. The appellant observed that he cannot appear in person at the Punjab State Information Commission for next hearing due to his ill health and requested for hearing through video conference.

Contd..p-2

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A.C.No. 4021 of 2019

6. On the request of the appellant, the matter to come up for further hearing now on 20.01.2020 at 11.30AM through video conference at O/o Deputy Commissioner, Ludhiana.

Copies of the order be sent to the parties.

Sd/-

Chandigarh
11.12.2019

((Lt Gen Ajae Kumar Sharma, (Retd))
Punjab State Information Commissioner

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