

**PUNJAB, STATE INFORMATION COMMISSION**  
**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Sh Tejinder Singh,  
Village Bholapur, P.O Ramgarh, Chandigarh Road,  
Ludhiana .

... Appellant

Versus

**Public Information Officer,**  
O/oGLADA,  
Ludhiana.

**First Appellate Authority,**  
O/o Addl Chief Administrator,  
GLADA, Ludhiana

...Respondent

**Appeal Case No. 3285 of 2018**

**Present: Sh.Tejinder Singh as Appellant**  
**Sh.Santosh Kumar Bains O/o GLADA Ludhiana for the Respondent**

**ORDER:**

The appellant through RTI application dated 27.06.2018 has sought information regarding status of the policy framed/to be framed by the Principal Secretary, Housing Development on the instructions of the Chief Administrator GLADA dated 18.02.12016 on unauthorized advertisement structures, hoardings outside the MC limits and other information concerning the office of GLADA Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 28.07.2018.

The respondent present pleaded that the information has been provided to the appellant. The appellant stated that the information has been received but it has been provided after a lapse of 5 months & 25 days, for which the respondent pleaded that they did not receive any RTI application nor any email from the appellant and after receipt of the notice from the State Information Commission about the RTI, it came to their notice after which they sent the reply to the appellant.

The appellant has produced track record of the Post Office which clearly states that the letter was received by the PIO on 28.06.2018. So merely stating that the PIO did not receive the application, does not absolve the public authority of the delay in providing the information to the information seeker. The PIO is directed to probe into the matter and produce a thorough enquiry report. If in the enquiry, any loopholes are found that need to be plugged, and if any official is involved in non-handling of such RTI application, the matter should be brought to the notice of the higher authorities as well as to the Commission on the next date of hearing.

Both the parties to be present on **12.02.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh.Vijay Hans,  
H No-3, SatyaNiwas, Silver City,  
Zirakpur

... Appellant

Versus

**Public Information Officer,**  
O/o Superintendent of Personnel (IAS Branch),  
Govt of Punjab, Chandigarh.

**First Appellate Authority,**  
Under Secretary,  
Department of Personnel (IAS Branch),  
Govt of Punjab, Chandigarh.

...Respondent

**Appeal Case No. 3287 of 2018**

**Present: Sh.Vijay Hans as Appellant**  
**Sh.SaneevSachdeva, Sr.Assistant, O/o Superintendent of Personnel for the Respondent**

**ORDER:**

The appellant through RTI application dated 28.03.2018 has sought information regarding procedure adopted for promotion of Dr.Bhupinderpal Singh, IAS presently posted as ADC Jalandhar from non-SCS cadre to IAS Cadre in 2011, recommendations of different personalities and other information. The RTI application was filed by the appellant with the Department of Personnel & Training, Government of India which vide letter dated 28.04.2018, informed the appellant that the information regarding point No.1 i.e. the procedure adopted for selection from Non-SCS cadre to IAS cadre is in accordance with the IAS(Appointment by Selection) Regulations, 1997, a copy of which available on the website of DoP&T. For the information regarding points 2 to 4, they forwarded the application to the UPSC and the Chief Secretary, Government of Punjab, Chandigarh.

The appellant was not satisfied with the reply of the PIO, Department of Personnel(IAS Branch), Punjab vide letters dated 21.05.2018 & 11.06.2018 after which the appellant filed first appeal before the First Appellate Authority on 20.07.2018 which disposed off the appeal upholding the order dated 11.06.2018 of the PIO.

The appellant is present and informed that he has received the information regarding point No.4 from the UPSC. Regarding information relating to points 2 & 3, the PIO, Department of Personnel, Punjab has rejected the information on the basis of the section 8(1)(j) of the RTI Act and that there is no larger public interest involved. The appellant in his appeal has stated that there is larger public interest involved and the information has been willfully denied. The appellant also stated that if the UPSC could provide the information, then there was no harm in providing him the information on points 2 & 3.

Since the information regarding points 1 & 4 has been provided, the matter regarding information relating to points 2 & 3 shall be adjudicated on the next date of hearing.

To come up on **12.02.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Lt Col Hardev Singh,  
# 506, Army Base Workshop,  
C/o 56 APO.

....Appellant.

Versus

**Public Information Officer**  
O/o District Magistrate,  
Amritsar.

**First Appellate Authority,**  
O/o Deputy Commissioner,  
Amritsar.

...Respondent

**Appeal Case No. 3288 of 2018**

**Present:       None for the Appellant**  
**Mandeep Singh, Clerk, O/o DC Amritsar for the Respondent**

**ORDER:**

The appellant through RTI application dated 20.01.2018 has sought information regarding order of the Hon'ble Chief Minister on the plea of the appellant dated 19.04.2017 alongwith state policy with regard to special privileges granted to the serving soldiers for non grant of leave during national emergencies and other information concerning the office of District Magistrate, Amritsar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 19.05.2018. The First Appellate Authority vide letter dated 31.05.2018 ordered the PIO to provide the information and the information was provided to the appellant on 11.06.2018. On being not satisfied with the reply of the PIO, the appellant filed second appeal with the Commission which has come up for hearing today.

The respondent present informed that they have sent fresh information to the appellant vide letter dated 11.12.2018. The appellant is absent without intimation. The Commission cannot arrive at a decision whether the appellant has got complete information or not. The appellant is afforded one more opportunity to point out the discrepancies if any in the information provided on 11.12.2018, a copy of which is being sent to the appellant alongwith the order.

To come up for further hearing **on 11.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Amritsar.. Copies of the order be sent to the parties ***through registered post***

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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ShS.P Goyal,  
2-C, Sarabha Nagar, Gurudwara Road,  
Ludhiana.

Appellant

**Public Information Officer**  
O/o District & Session Judge,  
Ludhiana.

**First Appellate Authority,**  
O/o District & Session Judge,  
Ludhiana.

...Respondent

**Appeal Case No. 3295 of 2018**

**Present:** **None for the Appellant**  
**Sh.Ramanjit, Addl.English Clerk O/o District & Session Judge, Ludhiana for**  
**the Respondent**

**ORDER:**

The appellant through RTI application dated 16.04.2018 has sought information on 9 points regarding status of missing documents mentioned in the order dated 25.04.2017 in case No.ARB-16 dated 08.10.2013 (ARB/34866/2013)-Sat ParkashGoyal& others V/s HiraLalGoyal& others and category of 38 adjournments and other information concerning the office of District & Session Judge, Ludhiana. The appellant was not satisfied with the reply of the PIO vide letter dated 16.05.2018 after which the appellant filed first appeal before the First Appellate Authority on 31.05.2018 which disposed off the appeal on 27.07.2018 upholding the decision of the PIO.

The respondent present reiterated the decision of the PIO and the First Appellate Authority. In the reply, the respondent has claimed the following:

- Regarding point 1, that the information being related to judicial functions and duties of the Court is not to be disclosed as per Rule 4(1) of Punjab Subordinate Courts (Right To Information) Rules 2007 and is exempt u/s 8(1)(b) of the RTI Act.
- Regarding information in paras 2,3,5,6,&9, no loss is reported till date.
- The information regarding point 4 is available on the website of the Court.
- The information regarding point 7 being voluminous is barred u/s 7(9)
- The information sought in point No.8 being query/opinion/comments of the PIO, are not required to be provided as held by Hon'ble Supreme Court of India in Central Board of Secondary Education & others v/s Aditya Bandopadhyay & others.

The appellant is absent and vide email has asked for hearing through Video Conferencing at DC Office, Ludhiana.

To come up for further hearing **on 11.02.2019at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. Copies of the order be sent to the parties **through registered post.**

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh S.P Goyal,  
2-C, Sarabha Nagar, Gurudwara Road,  
Ludhiana.

Appellant

**Public Information Officer**  
O/o Joint Registrar (Rules),  
Punjab & Haryana High Court,  
Chandigarh.

**First Appellate Authority,**  
O/o Registrar, (Administration),  
Punjab & Haryana High Court,  
Chandigarh.

...Respondent

**Appeal Case No. 3296 of 2018**

**Present: None for the Appellant**  
**Sh. Inder Singh, Joint Registrar-cum-PIO for the Respondent**

**ORDER:**

The appellant through RTI application dated 23.04.2018 has sought information on 7 points regarding his complaint (No.11798 dt.23.08.2017) against Sh. Jaapinder Singh, CJM Ludhiana and others. The PIO vide letter dated 13.07.2018 sent point-wise reply to the appellant as under:

- Point No.1 & 2 - Already supplied vide letter No.1575/PIO/HC dated 08.12.2017.
- Point No.3 - Intimated that the fee for supplying the certified copies is charged @ Rs.2/- per page in terms of Punjab and Haryana High Court (Right to Information) Rules 2007. Also there are 12 pages of noting and 34 pages of correspondence which includes complaint dated 23.07.2017, affidavit.
- Point No.4 - No such information is part of record of the court
- Point No.5 & 7 - The desired information does not exist on the record of the court, hence cannot be disseminated as the same is not to be created.
- Point No. 6 - Already supplied vide court's letter dated 08.12.2017 in response to two RTI applications dated 08.11.2017

The appellant was not satisfied with the reply of the PIO after which the appellant filed first appeal before the First Appellate Authority on 13.07.2018 which disposed off the appeal upholding the order of the PIO.

The respondent present pleaded that the available information has already been provided to the appellant. The appellant is absent without intimation to the Commission.

I have gone through the RTI application and the reply of the PIO and observed that the RTI application has been attended to well and within the prescribed time limit and the information has been provided by the PIO to the best possible extent. I see no reasons to interfere in the order of the First Appellate Authority.

No further course of action is required. The case is **disposed off and closed.**

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh S.P Goyal,  
2-C, Sarabha Nagar, Gurudwara Road,  
Ludhiana.

.....Appellant

Versus

**Public Information Officer**  
O/o Registrar (General),  
Punjab & Haryana High Court,  
Chandigarh.

**First Appellate Authority,**  
O/o Registrar, (Administration),  
Punjab & Haryana High Court,  
Chandigarh.

...Respondent

**Appeal Case No. 3297 of 2018**

**Present:       None for the Appellant**  
**Sh.Inder Singh, Joint Registrar-cum-PIO for the Respondent**

**ORDER:**

The appellant through RTI application dated 07.07.2018 has sought 15 points information regarding case No.CS-141 dt.24.01.1988 titled as S.P.Goyal V/s Hari Dutt Dumra in District Court Ludhiana decided on 23.12.2011. The appellant sought information that what action was taken against the concerned judge who consigned the file to record room with a delay of 24 days. The appellant was not satisfied with the reply of the PIO vide letter dated 16.07.2018 after which the appellant filed first appeal before the First Appellate Authority on 18.07.2018 which disposed off the appeal on 02.08.2018 upholding the decision of the PIO.

The respondent present reiterated the decision of the PIO and the First Appellate Authority. In the reply, the respondent has claimed the following:

- That the information regarding points 1 to 6, 8, 9 & 11 to 15 is beyond the jurisdiction and scope of duties of the PIO under the Act to comment, opine and advise on the matters. Hence, the request is not covered within the meaning of 'information' as defined under section 2(f) of the RTI Act. 2005.
- Point No.7 – partly information was supplied that Ms.Monika Chauhan is presently posted as Civill Judge(Jr Div) at Phagwara whereas rest of the information is declined as the information sought falls within the ambit of 'personal information' under section 8(1)(j) of the RTI Act 2005 and that such information cannot be furnished unless any nexus with larger public interest is shown and in view of the judgment dated 31.08.2017 passed by Hon'ble Supreme Court of India in CA No.22 of 2009 titled as Canara Bank V/s C.S.Shyam and others.
- Point No.10 – Information has already been supplied vide letter dated 23.05.2018.

**Appeal Case No. 3297 of 2018**

The respondent further pleaded that since the information sought by the appellant is in the form of queries and opinion, the Act does not cast obligation upon the PIO to supply such information, after creating the same. The same issue has elaborately been dealt with by the Hon'ble Supreme Court of India in matter of Central Board of Secondary Education & others V/s Aditya Bandhopadhyay & Others.

The appellant is absent and vide email has asked for hearing through Video Conferencing at DC Office, Ludhiana. The case is adjourned.

To come up for further hearing **on 11.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. Copies of the order be sent to the parties ***through registered post.***

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh.Manjit Singh,S/o Sh.Sohan Singh,  
H no-388/3, Bahera Road,  
Patiala.

Appellant.

Versus

**Public Information Officer**  
O/o DIG,  
Patiala.

**First Appellate Authority,**  
O/o DGP,  
Pb,Chandigarh.

...Respondent

**Appeal Case No. 3314 of 2018**

**Present: Sh.Manjit Singh as Appellant**  
**Sh.Hakam Singh, HC, O/o SSP Patiala for the Respondent**

**ORDER:**

The appellant through RTI application dated 15.01.2018 has sought information regarding action taken report on his complaints dated 19.11.2016, 17.12.2017, 7.08.2017, 25.09.2017, 27.09.2017, 13.11.2-017 filed against the officers and employees of Transport Department and other information concerning the office of DIG Patiala. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 02.03.2018.

The respondent present has submitted a letter dated 17.12.2018 of the PIO stating therein that the information has already been provided to the appellant in appeal case No.2017 of 2018 and in appeal case No.1561 of 2018 which were disposed off by the concerned SICs on 04.09.2018 & 03.12.2018 respectively. The appellant has denied having received the information in the present case.

I have gone through the RTI application and the reply of the PIO and hereby direct the PIO to provide information regarding points 1,2,6& 9. The appellant is also asked to visit the office of PIO for inspection and get the information.

Both the parties to be present on **12.02.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



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Sh.Manjit Singh, S/o Sh.Sohan Singh,  
H no-388/3, Bahera Road,  
Patiala.

Appellant.

Versus

**Public Information Officer**

O/o Finance Minister,  
Pb, Chandigarh..

**First Appellate Authority,**

O/o Chief Minister,  
Pb, Chandigarh.

...Respondent

**Appeal Case No. 3316 of 2018**

**Present: Sh.Manjit Singh as Appellant**  
**Ms.SimranpreetKaur O/o Principal Secretary, Punjab, Department of Transport for the Respondent**

**ORDER:**

The appellant through RTI application dated 05.07.2018 has sought information regarding action taken report on his complaint dated 03.10.2017 whereby the loss to Govt exchequer by the officials of Transport office in connivance with the agents was reported and other information concerning the office of Finance Minister, Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 11.08.2018.

The respondent present pleaded that the appellant had filed RTI application with the office of Finance Minister, Punjab and they received the application from the office of Finance Minister on 25.07.2018. The respondent further pleaded that the appellant was asked vide letter dated 03.08.2018 to deposit requisite fee for getting information but the appellant has not deposited the fee. The appellant has denied having received the reply of the PIO.

Having gone through the file, it is observed that the RTI application was attended by the PIO well within the time but the appellant has not filed first appeal with the appropriate authority. The appellant is hereby directed to deposit the requisite fee and get the information.

During further scrutiny of the case, it is observed that the appellant has filed two similar applications seeking exactly the same information vide appeal case No.3317/2018 & appeal case No.3318/2018 from the office of Chief Secretary, Punjab, Chandigarh This is clearly a violation of the spirit of the RTI Act as it diverts the resources of the department/public authority unnecessarily. Keeping this fact in mind, all these three cases are clubbed together. The Commission makes Ms.Simranpreet Kaur O/o of Principal Secretary, Govt of Punjab, Department of Transport as deemed PIO and directs the PIO to provide the information to the appellant within 10 days after receipt of requisite fee. The PIO is also directed to submit proof of dispatch of letter dated 03.08.2018.

Both the parties to be present on **12.02.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh.Manjit Singh, S/o Sh.Sohan Singh,  
H no-388/3, Bahera Road,  
Patiala.

Appellant.

Versus

**Public Information Officer**

O/o Chief Secretary,  
Pb, Chandigarh.

**First Appellate Authority,**

O/o Chief Secretary,  
Pb, Chandigarh.

...Respondent

**Appeal Case No. 3317 of 2018**

**Present: Sh.Manjit Singh as Appellant**  
**Ms.Simranpreet Kaur O/o Principal Secretary, Punjab, Department of Transport for the Respondent**

**ORDER:**

The appellant through RTI application dated 02.07.2018 has sought information regarding action taken report on his complaint dated 27.09.2017 whereby the loss to Govt exchequer by the officials of Transport office in connivance with the agents was reported and other information concerning the office of Chief Secretary, Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 11.08.2018.

The respondent present pleaded that the appellant had filed RTI application with the office of Chief Secretary, Punjab and they received the application from the office of Chief Secretary on 06.07.2018. The respondent further pleaded that the appellant was asked vide letter dated 18.07.2018 to deposit requisite fee for getting the information but the appellant has not deposited the fee. The appellant has denied having received the reply of the PIO.

Having gone through the file, it is observed that the RTI application was attended by the PIO well within the time. The appellant is hereby directed to deposit the requisite fee and get the information.

During further scrutiny of the case, it is observed that the appellant has filed two similar applications seeking exactly the same information vide appeal case No.3316/2018 & appeal case No.3318/2018 from the office of Finance Minister, Punjab and the office of Chief Secretary, Punjab, Chandigarh. This is clearly a violation of the spirit of the RTI Act as it diverts the resources of the department/public authority unnecessarily. Keeping this fact in mind, all these three cases are clubbed together. The Commission makes Ms.Simranpreet Kaur O/o of Principal Secretary, Govt of Punjab, Department of Transport as deemed PIO and directs the PIO to provide the information to the appellant within 10 days after receipt of requisite fee. The PIO is also directed to submit proof of dispatch of letter dated 18.07.2018.

Both the parties to be present on **12.02.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh.Manjit Singh, S/o Sh.Sohan Singh,  
H no-388/3, Bahera Road,  
Patiala.

Appellant.

Versus

**Public Information Officer**

O/o Chief Secretary,  
Pb, Chandigarh.

**First Appellate Authority,**

O/o Chief Secretary,  
Pb, Chandigarh.

...Respondent

**Appeal Case No. 3318 of 2018**

**Present: Sh.Manjit Singh as Appellant**  
**Ms.Simranpreet Kaur O/o Principal Secretary, Punjab, Department of Transport for the Respondent**

**ORDER:**

The appellant through RTI application dated 05.07.2018 has sought information regarding action taken report on his complaint dated 25.09.2017 whereby the loss to Govt exchequer by the officials of Transport office in connivance with the agents was reported and other information concerning the office of Chief Secretary, Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 11.08.2018.

The respondent present pleaded that the appellant had filed RTI application with the office of Chief Secretary, Punjab and they received the application from the office of Chief Secretary on 12.07.2018. The respondent further pleaded that the appellant was asked vide letter dated 18.07.2018 to deposit requisite fee for getting the information but the appellant has not deposited the fee. The appellant has denied having received the reply of the PIO.

Having gone through the file, it is observed that the RTI application was attended by the PIO well within the time. The appellant is hereby directed to deposit the requisite fee and get the information.

During further scrutiny of the case, it is observed that the appellant has filed two similar applications seeking exactly the same information vide appeal case No.3316/2018 & appeal case No.3317/2018 from the office of Finance Minister, Punjab and the office of Chief Secretary, Punjab, Chandigarh This is clearly a violation of the spirit of the RTI Act as it diverts the resources of the department/public authority unnecessarily. Keeping this fact in mind, all these three cases are clubbed together. The Commission makes Ms.Simranpreet Kaur O/o of Principal Secretary, Govt of Punjab, Department of Transport as deemed PIO and directs the PIO to provide the information to the appellant within 10 days after receipt of requisite fee. The PIO is also directed to submit proof of dispatch of letter dated 18.07.2018.

Both the parties to be present on **12.02.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 18.12.2018**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**