

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



Shri Manjinder Singh,
#2469, Sunny Enclave,
Sector 125, Kharar,
Distt. Mohali 140301.

....Appellant

Versus

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

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Gurdaspur

APPEAL CASE NO. 574/2023, 1628/2023, 2522/2023

PRESENT:

Appellant: **Shri Manjinder Singh**
Respondent: Absent.

Orders are reserved in all the above-mentioned cases and will be pronounced in due course of time.

(Sandeep Singh Dhaliwal)
State Information Commissioner, Punjab.
Chandigarh
20.11.2024

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Sh. Lajpat Rai Garg,
S/o Sh. Harbans Lal ,
R/o Romana Street, Jaito, Tehsil Jaito,
Tehsil Jaito, Distt. Faridkot

....Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Mansa.

First Appellate Authority,
O/o ADC(Urban Dev.),
Mansa.

....Respondents

APPEAL CASE NO. 1223/2023, 1224/2022 & CC: 124/2022

PRESENT:

Appellant : Sh. Lajpat Rai Garg
Respondent: Sh. Gian Chand (Clerk)
Sh. Sukhpal Singh(Clerk)

ORDER :

1. The above mentioned Appeal Case & Complaint Cases were fixed for hearing before the Bench of Hon'ble State Information Commissioner, Punjab Shri Anumit Singh Sodhi. The Registry Branch vide his office order no. PSIC/Legal/2024/480, dated 04.09.2024 has re-allocated the above mentioned case to the undersigned bench Accordingly, the case is fixed for hearing today.

2. The following is a summary of the previous hearings in the three cases:

Case No. CC:124/2022:

- Eighth hearing held
- Penalty of Rs. 10,000/- imposed vide order dated 04.09.2023
- Compensation of Rs. 5,000/- awarded to the appellant vide order dated 27.09.2023

Case No. AC:1224/2022:

- Eighth hearing held

Case No. AC:1223/2022:

- Eighth hearing held
- Compensation of Rs. 10,000/- awarded to the appellant vide order dated 27.09.2023

PROCEEDINGS

3. Both parties are present for the hearing. The respondent PIO, Gian Chand, stated that:

- In CC:124/2022, the RTI application was not received due to a fault at the distribution level.
- In AC:1224/2022 and AC:1223/2022, available information was provided, and pending information will be provided shortly.

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APPEAL CASE NO. 1223/2023, 1224/2022 & CC: 124/2022

4. The appellant contested the respondent's claims, stating that:

- The RTI application in CC:124/2022 was properly sent.
- In AC:1224/2022 and AC:1223/2022, deficiencies in the provided information remain unaddressed.

COMMISSION'S DIRECTION

5. The matter is adjourned to the next date of hearing. The PIO, Sh. Ravi Kumar, EO, Nagar Council Mansa, is strictly directed to be present in person with all supporting documents to represent these cases. The Commission will decide the cases based on the presentation of both parties on the next date of hearing.

6. Next hearing on 07.01.2025 at 11.00 AM at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh

(Sandeep Singh Dhaliwal)

State Information Commissioner, Punjab.

Chandigarh

20.11.2024

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Sh. Lajpat Rai Garg,
S/o Sh. Harbans Lal ,
R/o Romana Street, Jaito, Tehsil Jaito,
Tehsil Jaito, Distt. Faridkot

....Complainant

Versus

Public Information Officer,
O/o EO, MC,
Gurdaspur.

....Respondent

COMPLAINT CASE NO. 124/2023, 125/2023, 126/2023, 127/2023, 128/2023

PRESENT:

Appellant : Sh. Lajpat Rai Garg
Respondent: Sh. Harjit Singh (Clerk)
Sh. Manjinder Singh(DM)

ORDER :

1. The above mentioned Complaint Cases were fixed for hearing before the Bench of Hon'ble State Information Commissioner, Punjab Shri Anumit Singh Sodhi. The Registry Branch vide his office order no. PSIC/Legal/2024/480, dated 04.09.2024 has re-allocated the above mentioned case to the undersigned bench Accordingly, the case is fixed for hearing today.

PROCEEDINGS

2. Both parties are present for the hearing.
3. The Complainant stated that no information has been provided so far.
4. The respondent PIO representative, Sh. Harjit Singh, stated that the information sought in the abovementioned cases are voluminous, and the complainant Sh. Lajpat Rai Garg was invited to inspect records on multiple occasions, via letters dated 09/10/2023, 23/10/2023, and 06/11/2023. However, the complainant failed to appear, resulting in the information remaining pending for over a year.
5. Sh. Harjit Singh also mentioned that approximately 300 RTI applications from the same complainant, Sh. Lajpat Rai Garg, are pending, making it challenging for the office to respond promptly due to staff shortages and an overwhelming workload. Furthermore, the respondent PIO alleged that the complainant's intention is to harass & blackmail officers and employees, and disrupt office hours.

Written submissions from the O/o Nagar Council Gurdaspur, vide Letter reference no. 4983 dated 14.11.2023 and Letter reference No. 2464 dated 25.10.2024, are received and taken on record with all supporting enclosures.

6. In response, the appellant refused to inspect the records at the respondent's office, insisting that the information be provided by post only.

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COMPLAINT CASE NO. 124/2023, 125/2023, 126/2023, 127/2023, 128/2023

COMMISSION'S OBSERVATIONS

7. The Commission notes that the complainant, Lajpat Rai Garg, has approached under Section 18 of the RTI Act, 2005. However, as per the **Supreme Court's order dated 12.12.2011, the Commission has no jurisdiction to pass an order providing access to information.**

8. The complainant's refusal to inspect records and insistence on postal delivery may be a legitimate concern. However, the respondent PIO's allegations of harassment and blackmail require careful consideration.

COMMISSION'S DIRECTION

9. The above-mentioned cases are adjourned. Both parties are directed to be present in person for further directions. The respondent PIO, EO Municipal Corporation, Gurdaspur, is strictly directed to be present with all supporting documents to justify his claim.

10. Next hearing on 07.01.2025 at 11.00 AM at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh

(Sandeep Singh Dhaliwal)

State Information Commissioner, Punjab.

Chandigarh

20.11.2024