

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

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

Visit us: - www.infocommpunjab.com

Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)



Shri Sukhminder Singh,
H.No.494, Street NO.9,
New Bishan Nagar,
Patiala.

.....Complainant

Versus

Public Information Officer

O/o Regional Transport Officer,
Patiala.

Remanded Back

First Appellate Authority-cum-

Secretary, Regional Transport
Authority, Patiala.

....Respondent

CC No.532 of 2020

Present: (i) **Shri Sukhminder Singh, Complainant**
(ii) **Shri Dharam Vir, Junior Assistant O/o Secretary, R.T.A. Patiala**
On behalf of the PIO/respondent.

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 10.07.2020 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed in the Commission on 14.08.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 03.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Patiala.
3. The Complainant Shri Sukhminder Singh comes present to attend the hearing through V.C. in DC Office, Patiala. He states that he has not received any information.
4. Shri Dharam Vir, Junior Assistant O/o Secretary, Regional Transport Authority, Patiala attends the hearing through V.C. He states that their office is in the process of compiling the information and the same will be supplied to the complainant today.
5. Post deliberations, 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. On enquiring from the representative of the PIO, he states that Shri Paramjit Singh, Secretary, R.T.A. Patiala is the First Appellant Authority.

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6. 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 complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

7. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Shri Paramjit Singh, Regional Transport Authority, Patiala. 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.

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

**Chandigarh
03.11.2020**

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

Copy to (By Regd. Post):

First Appellate Authority, Shri Paramjit Singh, Secretary, Regional Transport, Punjab, Patiala.

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Shri Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

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

First Appellate Authority-cum-
State Transport Commissioner,
Punjab, Sector-17C, Chandigarh.

....Respondents

AC No.2173 of 2020

Present: (i) **Shri. Manjinder Singh, Appellant in person before the Bench.**
(ii) **None is present on behalf of the PIO/Respondent**

ORDER

1. The RTI application is dated 03.02.2020 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 12.06.2020 and the second appeal was filed in the Commission on 14.08.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.11.2020 by the Commission through V.C. in D.C. Office, Faridkot. The Appellant comes present to attend the hearing in person before the Bench at Chandigarh.

3. Neither the PIO has come present to attend the hearing nor has deputed any of his representatives to attend the hearing through V.C.

4. On the asking of the Bench, the appellant confirms the receipt of requisite information and gives his consent to close the case.

5. In view of the above, no cause of action is left in the matter. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
03.11.2020**

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

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Shri Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

Public Information Officer

O/o Regional Transport
Authority, Jalandhar.

First Appellate Authority-cum-

State Transport Commissioner,
Punjab, Sector-17C, Chandigarh.

....Respondents

AC No.2171 of 2020

Present: (i) **Shri Manjinder Singh, Appellant in person before the Bench.**
(ii) **None is present on behalf of the PIO/Respondent**

ORDER

1. The RTI application is dated 16.03.2020 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 12.06.2020 and the second appeal was filed in the Commission on 14.08.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 03.11.2020 by the Commission through V.C. in D.C. Office, Jalandhar. The Appellant comes present to attend the hearing in person before the Bench at Chandigarh.

3. Neither the PIO has come present to attend the hearing nor has deputed any of his representatives to attend the hearing through V.C. However, an e.mail dated 30.10.2020 has been received from the PIO stating that the information has been supplied to the appellant by registered post on 30.10.2020.

4. On the asking of the Bench, the appellant confirms the receipt of requisite information and gives his consent to close the case.

5. In view of the above, no cause of action is left in the matter. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
03.11.2020**

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

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Shri Manjinder Singh
R/o #2469, Sunny Enclave
Sector-125, Kharar,
District SAS Nagar (Mohali).

.....Appellant

Versus

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

First Appellate Authority-cum-
State Transport Commissioner,
Punjab, Sector-17C, Chandigarh.

....Respondents

AC No.945 of 2020

Present: (i) **Shri. Manjinder Singh, Appellant in person before the Bench.**
(ii) **None is present on behalf of the PIO/Respondent**

ORDER:

(Contacted on Mobile Phone)

1. This order may be read with reference to the order dated 08.09.2020 passed by this Bench on the previous date of hearing.
2. The case was scheduled to be heard today through V.C. in the office of D.C., Jalandhar.
3. The appellant comes present in person before the Bench in Commission's office at Chandigarh. He states that no information has been supplied to him.
4. The PIO has neither come present to attend the hearing nor has deputed any of his representatives to attend the hearing through V.C. in DC Office, Jalandhar. However, an e.mail dated 28.10.2020 has been received vide which the information has been supplied to the appellant by registered post on 31.10.2020. The e.mail also states that the penalty imposed on the PIO has also been deposited and copy of challan has also been sent by e.mail to the Commission.
5. The information received is shown to the appellant. On going through the information, he expresses dis-satisfaction. Since the PIO is absent, he is contacted on mobile phone. He is made to talk to the appellant. The PIO explains to the appellant that the information so supplied by him is in order. But the appellant is not convinced with the position explained by the PIO.
6. The PIO is again contacted. He further amplifies that the information provided to the appellant is factually correct and authentic and the same is as per official records.

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AC No.945/2020

7. Post deliberations with the appellant and the PIO, the Bench directs the PIO to file an affidavit within 15 days, duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

8. With the aforesaid directions, **the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
03.11.2020**

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