

PUNJAB STATE INFORMATION COMMISSION

**Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.**

Ph: 0172-2864113, Helpline No. 0172-2864100

Email: - psic22@punjabmail.gov.in

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Sh. Naresh Kumar (9464522190)

2190, Sector 44-C,
Chandigarh

Appellant

Versus

Public Information Officer

O/o Pb. State Board of Technical Education &
Indl. Training, Chandigarh

First Appellate Authority

O/o Secy., Pb. State Board of Technical Education &
Indl. Training, Chandigarh

Respondent

Appeal Case No.: 3914 of 2021

Through CISCO WEBEX

Present:

(i) Sh. Sanjeev Goyal on behalf of the appellant

(ii) For the respondent PIO: Ms. Sangeeta (Asstt. Controller) (9855472918) along with Sh. Anil Kumar (SO) (9914886121)

ORDER

1. The RTI application is dated 05.04.2021 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 17.05.2021 and second appeal was filed in the Commission on 01.09.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 05.05.2022 i.e. today
2. In today's hearing, respondent, Ms. Sangeeta states that information comprising 23 pages was supplied to the appellant. She adds that DDR was lodged regarding missing file.
3. Appellant, Sh. Naresh Kumar denied of receiving any reply/information.
4. After hearing both the parties and examining the case file, respondent PIO is directed to supply an affidavit in original to the appellant with a copy to the Commission within seven days from today regarding filing of DDR in connection with missing file.
5. In context to the affidavit, no further cause of action is required. Therefore, this instant appeal case is the instant case is **disposed of**. Copies of this decision be sent to the parties.

Dated: 05.05.2022

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**

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Sh. Deepak Kumar (7508060043)

s/o Sh. Ashok Kumar,
Vill. Gopalpura,
PO Kathunangal, Distt. Amritsar

Appellant

Versus

Public Information Officer

O/o Registrar, IGK Pb. Technical
University, Kapurthala

First Appellate Authority

O/o Registrar, IGK Pb. Technical
University, Kapurthala

Respondent

Appeal Case No.: 3588 of 2021
Through CISCO WEBEX

Present: (i) Sh. Deepak Kumar, the appellant
(ii) For the respondent PIO: Dr. Nitya Sharma (9478098018) along with Sh. Naresh Kumar

ORDER

1. The RTI application is dated 05.04.2021 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 19.05.2021 and second appeal was filed in the Commission on 09.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 05.05.2022 i.e. today.
2. In today's hearing, appellant states that he is not satisfied with the supplied reply in connection with point no. G and I of the RTI application.
3. On this, respondent, Dr. Nitya Sharma states that the concerned college is an autonomous college and both the documents (as per point no. G and I) are not available in the official record because those documents were never submitted to the concerned college. She adds that earlier Sh. Vivek Talwar had already sent reply to the appellant as per RTI application.
4. After hearing both the parties and examining the case file, respondent PIO is directed to supply an affidavit in original to the appellant with a copy to the Commission within seven days from today regarding point no. G and I as per RTI application as respondent Dr. Nitya Sharma explained during the hearing.
5. In context to the affidavit, no further cause of action is required. Therefore, this instant appeal case is the instant case is **disposed of**. Copies of this decision be sent to the parties.

Dated: 05.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Tejinder Singh, Advocate (9041004313)

Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur 144410

Appellant

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Ferozepur

First Appellate Authority

O/o Secy., Regional Transport Authority,
Ferozepur

Respondent

Appeal Case No.: 3595 of 2021

Through CISCO WEBEX

Present:

(i) Sh. Tejinder Singh, the appellant

(ii) For the respondent PIO: Sh. Gurmeet Singh (Clerk) (9814039689)

ORDER

1. The RTI application is dated 27.05.2021 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 28.06.2021 and second appeal was filed in the Commission on 10.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 05.05.2022 i.e. today.
2. In today's hearing, both the parties are present. Appellant states that inspection was done and information is received. He adds that he has no objection to close this case.
3. In view of above, no further cause of action is required. Therefore, this instant appeal case is the instant case is **disposed of**. Copies of this decision be sent to the parties.

Dated: 05.05.2022

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**

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Sh. Hari Ram (9416953698)

s/o Sh. Rulda Ram,
H.No.253, Sarswati Nagar,
Singhwala Road,
Amabala City.

Appellant

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Patiala

First Appellate Authority

O/o State Transport Commissioner,
Pb., Chandigarh

Respondent

Appeal Case No.: 3618 of 2021

Through CISCO WEBEX

Present:

(i) Nobody on behalf of the appellant

(ii) For the respondent PIO: Sh. Harjeet Singh (Clerk) (7009537406).

ORDER

1. The RTI application is dated 23.04.2021 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 11.06.2021 and second appeal was filed in the Commission on 11.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 05.05.2022 i.e. today.
2. In today's hearing, respondent, Sh. Harjeet Singh states that reply dated 01.12.2021 was sent to the appellant vide letter no. 4441 and till date no objection is raised by the appellant in the supplied information.
3. Appellant is absent despite being aware about the date of hearing as Notice of hearing was sent to him through registered post is not returned to the Commission.
4. In view of above, it is presumed that appellant has nothing to say in this regard. Therefore, no further cause of action is required. Hence, this instant appeal case is the instant case is **disposed of**. Copies of this decision be sent to the parties.

Dated: 05.05.2022

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**

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Sh. Harpreet Singh Bhullar (9465318826)

Civil Court Phul,
R/o Vill. Dhapoli, Ward No.8,
Tehsil Phul,
District Bathinda

Complainant

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Bathinda

Remanded Back

Public Information Officer

(Regd. Post) O/o Secy., Regional Transport Authority,
Bathinda

Encl. RTI application.

Respondent

Complaint case No.: 1098 of 2021

Heard through CISCO WEBEX

Present: (i) Complainant: Sh. Harpreet mit Singh.
(ii) Respondent: Sh. Mukesh Kumar (PIO)

ORDER

1. The RTI application is dated 02.02.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 27.08.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 05.05.2022 through CISCO Webex application.
2. In today's hearing, both the parties are present.
3. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Dated: 05.05.2022

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**

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Appellant

Sh. Jasbir Singh(9888296107)
Guru Nanak Nagar,
Vill. Bolapur, Jhabewal,
PO Ramgarh, Distt. Ludhiana 141123.

Versus

Public Information Officer
O/o SDM, Sultanpur Lodhi, Distt.
Kapurthala

First Appellate Authority
O/o SDM, Sultanpur Lodhi, Distt.
Kapurthala

Respondent

Appeal Case No.: 3168 of 2021
Through CISCO WEBEX

Present: (i) Sh. Jasbir Singh, the appellant in person.
(ii) Nobody on behalf of the respondent PIO.

ORDER

1. The above mentioned case was earlier heard on 19.10.2021 by the Bench of Ld. SIC, Sh. Hem Inder Singh vide which appellant was advised to point out deficiency and respondent PIO was directed to remove after receipt from the appellant. Matter was adjourned for further hearing on 10.01.2022.

The above mentioned case was allocated to the undersigned Bench on 03.01.2022 but case was not heard on 10.01.2022 and fixed for today i.e. 05.05.2022.

2. In today's hearing, appellant states that he is satisfied with the supplied information and requests to close this case.
3. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties.

Dated: 05.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Jasbir Singh (9888296107)
R/o Guru Nanak Nagar,
Village Bholapur Jhabewal,
PO Ramgarh, Distt. Ludhiana.

Appellant

Versus

Public Information Officer
O/o Divisional Commissioner,
Ferozepur Division, Ferozepur

First Appellate Authority
O/o Divisional Commissioner,
Ferozepur Division, Ferozepur

Respondent

Appeal case No.: 3350 of 2021
Through CISCO WEBEX

Present: (i) Sh. Jasbir Singh, the appellant in person.
(ii) For the respondent: Sh. Sandeep (JA) (9855330008)

ORDER

1. The above mentioned case was earlier heard on 27.10.2021 by the Bench of Ld. SIC, Sh. Hem Inder Singh vide which appellant denied of receiving information sent through registered post on 10.09.2021. Accordingly respondent PIO was directed to supply information again to the applenat by registered post. Matter was adjourned for further hearing on 12.01.2022.

The above mentioned case was allocated to the undersigned Bench on 03.01.2022 but case was not heard on 12.01.2022 and fixed for today i.e. 05.05.2022.

2. In today's hearing, both the parties are present. The appellant states that he is satisfied with the supplied information and requests to close this case.
3. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties.

Dated: 05.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab