

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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Smt SatwinderKaur (9876908602)
w/o Sh. Vishal Chopra,
H.No.546544, Street No.2,
Shivpuri, Near Radhi Sham Mandir,
Ludhiana

Appellant

Versus

Public Information Officer
O/o Police Commissioner, Ludhiana

First Appellate Authority
O/o Police Commissioner, Ludhiana

Respondent

Appeal Case No.: 1105 of 2021
Heard through CISCO WEBEX

Present: (i) Smt SatwinderKaur - Appellant present
(ii) For the respondent: Sh. Tarsem Singh (ASI) (9463202689)

Order

1. This order may be read with the earlier orders dated: 20.7.2021 vide which respondent PIO was directed to supply point-wise reply/information to the appellant. The case was adjourned to 6.10.2021.
2. In today's hearing both the parties are present and respondent, ASI, Sh. Tarsem Singh states that reply has already been sent to the appellant dated 30.09.2021 with a copy to the Commission through an email dated 05.10.2021 (which is received and taken on record).
3. After examining the case file, it is observed that sufficient reply has already been supplied to the appellant. Therefore, no further cause of action is required. Hence, this instant appeal case is **disposed of & closed**. Announced in the Court. Copy of the order be sent to the parties.

Dated: 06.10.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Ludhiana

Appellant

Versus

Public Information Officer
O/o Police Commissioner, Ludhiana

First Appellate Authority
O/o Police Commissioner, Ludhiana

Respondent

Appeal Case No.: 1107 of 2021
Heard through CISCO WEBEX

Present: (i) Smt SatwinderKaur - Appellant present
(ii) For the respondent: Sh. Tarsem Singh (ASI) (9463202689)

Order

1. This order may be read with the earlier orders dated: 20.7.2021 vide which respondent PIO was directed to supply point-wise reply/information to the appellant. The case was adjourned to 6.10.2021.
2. In today's hearing both the parties are present and respondent, ASI, Sh. Tarsem Singh states that reply has already been sent to the appellant dated 30.09.2021 with a copy to the Commission through an email dated 05.10.2021 (which is received and taken on record).
3. After examining the case file, it is observed that sufficient reply has already been supplied to the appellant. Therefore, no further cause of action is required. Hence, this instant appeal case is **disposed of & closed**. Announced in the Court. Copy of the order be sent to the parties.

Dated: 06.10.2021

(Anumit Singh Sodhi)
State Information Commissioner
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Sh. Sukhdev Singh (9463228842)
s/o Sh. Banta Singh, Vill Dhupsari,
PO Govt. Multi technical College,
Batala, Distt. Gurdaspur 143506

Complainant

Versus

Public Information Officer
O/o Principal Khalsa Sec. Sec. School,
Batala

Respondent

Complaint Case No.: 121 of 2021
Heard through CISCO WEBEX

Present: None present.

Order

1. This order may be read with the previous order dated 22.7.2021 vide which complainant pleaded that he has not received information as per RTI application from the respondent. Respondent PIO was not present for today's hearing but a letter no. 2940 dated 22.04.2021 was received in the Commission vide diary no. 9388 dated 27.04.2021 along with supporting documents, mentioning therein that requisite information has already been supplied to the complainant vide letter no. 2905-06 dated 12.11.2020. In that letter respondent further adds that partial information relate with point no. 4 and 8 was also supplied to the complainant in another Appeal Case No. 2008 of 2018 filed by him in the Commission, which was disposed of & closed by the Ld. SIC, Dr. Pawan Kumar Singla dated 03.12.2018.

Accordingly, both the parties were advised to represent this case in person on the next date of hearing positively, failing to which case will be decided on the merit basis.

2. In today's hearing, respondent PIO is not present but an email dated 06.10.2021 is received by the undersigned bench stating that concerned respondent is unable to attend today's hearing. This email is taken on record.
3. Neither the complainant is present for today's hearing despite being aware about the date of hearing, nor did he file reply in this regard. It is presumed that he does not want to pursue this case further.
4. In wake of above, no further cause of action is required. Hence, this instant appeal case is **disposed of & closed**. Announced in the Court. Copy of the order be sent to the parties.

Dated: 06.10.2021

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Sh. Gurpreet Singh (9915299199)
s/o Sh Darshan Singh, VPO Lapran,
Tehsil Payal Distt. Ludhiana 141 421

Complainant

Versus

Public Information Officer
O/o Principal Khalsa Sec. Sec. School,
Batala

Respondent

Complaint Case No.: 126 of 2021
Heard through CISCO WEBEX

Present: None present.

Order

1. This order may be read with previous order dated: 22.7.2021 where complainant was not present. The respondent in the last hearing stated that the similar information has already been supplied to the complainant in the similar appeal case No.2043 of 2021, which was disposed of and closed by the Hon'ble Chief Information Commissioner, vide order dated 31.5.2021. The case was adjourned with the direction to both the parties may appear on the next date of hearing i.e. 6.10.2021.
2. In today's hearing both the parties are not present. Complainant was also absent on the previous hearing held on 22.07.2021. Notice of hearing and previous order was sent to the complainant through registered post but till date no response from the complainant.
3. In view of casual approach of the complainant, in spite of knowing about the date of hearing he did not bothered to represent this case. The court is of the view that the complainant has nothing to say in this case and does not want to pursue this case further. Therefore, no further cause of action required in this case. Hence, this instant appeal case is **disposed of & closed**. Announced in the Court. Copy of the order be sent to the parties.

Dated: 06.10.2021

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Sh. Satnam Singh Dhawan(9501513137)
H.No.7, G.K.Vihar,
Manakwal, Ludhiana

Complainant

Versus

Public Information Officer
O/o Regional Transport Authority,
Ludhiana

First Appellate Authority
(Regd. Post) O/o Regional Transport Authority,
Ludhiana

Encl. RTI application

Respondent

Complaint Case No.: 315 of 2021
Heard through CISCO WEBEX

Present: (i) Sh. Satnam Singh Dhawan- Complainant
(ii) For the respondent: Sh. Amardeep (Clerk) (9878977003)

Order:

1. This order may be read with order dated: 05.08.2021 vide which respondent PIO was directed to supply the requisite information within 10 days. The case was adjourned to 6.10.2021.
2. In today's hearing both the parties are present. The respondent states that the information sought for has already been supplied to the complainant on 1.10.2021 under intimation to the Commission, which is on record.
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 Manipal 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.

Complaint Case No.: 315 of 2021
Heard through CISCO WEBEX

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: 06.10.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Satnam Singh Dhawan,(9501513137)
H.No.7, GK Vihar, Manakwal,
Ludhiana

Complainant

Versus

Public Information Officer
O/o Regional Transport Authority, Ludhiana

First Appellate Authority
(Regd. Post) O/o Regional Transport Authority,
Ludhiana

Encl. RTI application

Respondent

Complaint Case No.: 484 of 2021
Heard through CISCO WEBEX

Present: (i) Sh. Satnam Singh Dhawan- Complainant
(ii) For the respondent: Sh. Amardeep (Clerk) (9878977003)

Order:

1. The RTI application is dated 01.03.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 16.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 06.10.2021 through CISCO Webex application.
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.

Complaint Case No.: 484 of 2021
Heard through CISCO WEBEX

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: 06.10.2021

(Anumit Singh Sodhi)
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Sh. Satnam Singh Dhawan,(9501513137)
H.No.7, GK Vihar, Manakwal,
Ludhiana

Complainant

Versus

Public Information Officer
O/o Regional Transport Authority, Ludhiana

Respondent

First Appellate Authority
(Regd. Post) O/o Regional Transport Authority,
Ludhiana

Encl. RTI application

Respondent

Complaint Case No.: 488 of 2021
Heard through CISCO WEBEX

Present: (i) Sh. Satnam Singh Dhawan- Complainant
(ii) For the respondent: Sh. Amardeep (Clerk) (9878977003)

Order:

1. The RTI application is dated 01.03.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 16.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 06.10.2021 through CISCO Webex application.
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.

Complaint Case No.: 488 of 2021
Heard through CISCO WEBEX

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: 06.10.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Love Kumar Dua (9815255646)

S/o Sh. Megh Raj Dua
House No. 125, Model Town,
Samrala Road, Khanna

Appellant/Complainant

Versus

Public Information Officer

O/o SSP, Khanna

First Appellate Authority

O/o SSP, Khanna

Respondent

Appeal Case No.: 1926 of 2020
Heard through CISCO WEBEX

Present:

- (i) Nobody on behalf of the appellant
(ii) For the respondent: Sh. Amarjeet Singh (ASI) (9780001412).

ORDER

1. This order may be read with the previous order of the Commission dated 19.08.2021 vide which respondent; PIO was directed to supply a fresh detailed reply as per queries raised by the appellant in his RTI application. Matter was adjourned for further hearing on 06.10.2021 i.e. today.
2. In today's hearing, respondent, Sh. Amarjeet Singh states that requisite information has already been collected by the appellant in person on 30.09.2021 at the respondent's office. He adds that intimation is also sent to the Commission through an email dated 06.10.2021 comprising a letter no. 1569 dated 06.10.2021 (which is received and taken on record).
3. Appellant is absent despite being aware about the date of hearing. It is also observed that no deficiency/correspondence is received from the appellant regarding his exemption/information.
4. In wake of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 6.10.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab