

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

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COMPLAINT CASE NO. 0655 OF 2021

Sh. Amarjit Singh, (9915247186)
S/o Sh. Balvir Singh
VPO Karnana, Teh. Nawanshahar
Distt. SBS Nagar

...Complainant

Versus

Public Information Officer,
O/o SSP,
Hoshiarpur (Punjab)

...Respondent

HEARD THROUGH VC/CISCO WEBEX/TELEHPONE

Present Sh. Amarjit Singh, the Complainant.
Sh. Rajesh Kumar, Head Constable (7009747728) for the respondents.

ORDER

The RTI application is dated 04.02.2021 seeking certain information from the PIO as enumerated in his RTI. He filed the complaint in Commission on 27.05.2021 under Section 18 of the Right to Information Act 2005 (hereinafter called the RTI Act). Notice of hearing was issued to both the parties for 09.09.2021.

2. The Respondent states that necessary reply / information has already been provided to the complainant on 03.03.2021.

3. The complainant acknowledges the receipt of aforesaid reply / information from the respondents but he is not satisfied with the same.

4. This is a Complaint Case. Therefore, at this juncture it is relevant to invite the attention of the complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) 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. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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-02-

Complaint Case No. 0655 of 2021

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The complainant is advised to approach the first appellate authority in this behalf.

5. Accordingly this case is hereby remanded back to First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act 2005.

6. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a 02nd appeal before the Commission under Section 19(3) of the RTI Act.

7. In view of the observations noted above, the instant **case is hereby ordered to be disposed of and closed.** Copy of the order be sent to the parties.

Chandigarh
09-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner,
Punjab

Copy for necessary compliance is forwarded alongwith copy of instant RTI by **Regd. Post** to :-

First Appellate Authority
O/o IGP, Punjab
Jalandhar Range,
Jalandhar.

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COMPLAINT CASE NO. 0659 OF 2021

Sh. Amarjit Singh, (9915247186)
S/o Sh. Balvir Singh
VPO Karnana, Teh. Nawanshahar
Distt. SBS Nagar

...Complainant

Versus

Public Information Officer,
O/o SSP,
Kapurthala (Punjab)

...Respondent

HEARD THROUGH VC/CISCO WEBEX/TELEPHONE

Present Sh. Amarjit Singh, the Complainant.
Sh. Davinder Singh, ASI, for the respondents.

ORDER

The RTI application is dated 04.02.2021 seeking certain information from the PIO as enumerated in his RTI. He filed the complaint in Commission on 27.05.2021 under Section 18 of the Right to Information Act 2005 (hereinafter called the RTI Act). Notice of hearing was issued to both the parties for 09.09.2021.

2. The Respondent states that necessary reply / information has already been provided to the complainant on 04.03.2021.

3. The complainant acknowledges the receipt of aforesaid reply / information from the respondents but he is not satisfied with the same.

4. This is a Complaint Case. Therefore, at this juncture it is relevant to invite the attention of the complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) 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. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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-02-

Complaint Case No. 0659 of 2021

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The complainant is advised to approach the first appellate authority in this behalf.

5. Accordingly this case is hereby remanded back to First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act 2005.

6. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a 02nd appeal before the Commission under Section 19(3) of the RTI Act.

7. In view of the observations noted above, the instant **case is hereby ordered to be disposed of and closed.** Copy of the order be sent to the parties.

Chandigarh
09-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner,
Punjab

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First Appellate Authority
O/o IGP, Punjab
Jalandhar Range,
Jalandhar.

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SECTOR 16, CHANDIGARH.

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COMPLAINT CASE NO. 0676 OF 2021

Sh. Harpreet Singh, (9872528204)
PEPSU Book Shop
Sadar Bazar
Kapurthala

...Complainant

Versus

Public Information Officer,
O/o Municipal Council
Kapurthala (Punjab)

...Respondent

HEARD THROUGH VC/CISCO WEBEX/TELEHPONE

Present Sh. Harpreet Singh, the Complainant.
Sh. Adarsh Kumar Sharma, EO-cum-PIO (9417409448) for the respondents.

ORDER

The RTI application is dated 26-02-2021 seeking certain information from the PIO as enumerated in his RTI. He filed the complaint in Commission on 31-05-2021 under Section 18 of the Right to Information Act 2005 (hereinafter called the RTI Act).

2. The Respondent states that complainant has been informed vide their letter dated 27-08-2021 stating that no record in public authority regarding the instant RTI is available and hence, information cannot be supplied to the complainant.

3. The complainant acknowledges the receipt of aforesaid reply / information from the respondents and orally states that he is not satisfied with the same.

4. This is a Complaint Case. Therefore, at this juncture it is relevant to invite the attention of the complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) 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. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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-02-

Complaint Case No. 0676 of 2021

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The complainant is advised to approach the first appellate authority in this behalf.

5. Accordingly this case is hereby remanded back to First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act 2005.

6. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a 02nd appeal before the Commission under Section 19(3) of the RTI Act.

7. In view of the observations noted above, the instant **case is hereby ordered to be disposed of and closed.** Copy of the order be sent to the parties.

Chandigarh
09-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner,
Punjab

Copy for necessary compliance is forwarded alongwith copy of instant RTI by **Regd. Post** to :-

First Appellate Authority
O/o The Regional Deputy Director,
Urbal Local Bodies, Punjab
Jalandhar.

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 0683 OF 2021

Sh. Inderjit Sahni, (9855224360)
1351, HIG, Phase 1,
Bathinda

...Complainant

Versus

Public Information Officer,
O/o The Deputy Commissioner
Hoshiarpur (Punjab)

...Respondent

HEARD THROUGH VC/CISCO WEBEX/TELEHPONE

Present Sh. Inderjit Sahni, the Complainant.
Sh. Amanpal Singh, DRO-PIO (9814853692) for the respondents.

ORDER

The RTI application is dated 23.02.2021 seeking certain information from the PIO as enumerated in his RTI. He filed the complaint in Commission on 01-06-2021 under Section 18 of the Right to Information Act 2005 (hereinafter called the RTI Act).

2. The Respondent orally says that reply / information has already been supplied to the complainant.

3. The complainant states that no reply / information has been supplied by the respondent-PIO till date.

4. The respondent-PIO is directed to send the reply/information on the whatsapp of the complainant and through email to the Commission today itself.

5. This is a Complaint Case. Therefore, at this juncture it is relevant to invite the attention of the complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) 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. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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-02-

Complaint Case No. 0676 of 2021

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The complainant is advised to approach the first appellate authority in this behalf.

6. Accordingly this case is hereby remanded back to First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act 2005.

7. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a 02nd appeal before the Commission under Section 19(3) of the RTI Act.

8. In view of the observations noted above, the instant **case is hereby ordered to be disposed of and closed.** Copy of the order be sent to the parties.

Chandigarh
09-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner,
Punjab

Copy for necessary compliance is forwarded alongwith copy of instant RTI by **Regd. Post** to :-

First Appellate Authority
O/o Deputy Commissioner,
Hoshiarpur

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APPEAL CASE NO. 1116 OF 2021

Sh. Gulshan Rai Pathria, (9466851238)

R/o H. No. 1650, Housing Board Colony,

Sector-10, Ambala City-134003

...Appellant

Versus

Public Information Officer,

O/o Punjab Small Industries & Export Corporation Ltd.,

Udyog Bhawan, Sector -17, Chandigarh.

First Appellate Authority

O/o Punjab Small Industries & Export Corporation Ltd.,

Udyog Bhawan, Sector-17, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT None for the Appellant

Smt. Rajdeep Kaur, Manager(HR), (7837293063) on behalf of the Respondents.

ORDER

This order may be read with reference to the previous order dated 24-08-2021.

2. The Respondent-PIO orally reiterates that whatever information available in their office has already been provided to the Appellant. She further states that pursuant to previous order of Commission, proper affidavit has been supplied to the appellant on his whatsapp and original affidavit is sent to Commission.

3. The appellant is absent.

4. Perusal of the case file reveals that original affidavit has already been sent to appellant with the previous order of the Commission. It is assumed that he might have received the original affidavit and satisfied with the same.

5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of order be sent to the parties.

Chandigarh
09-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 1117 OF 2021

Sh. Gulshan Rai Pathria, (9466851238)
R/o H. No. 1650, Housing Board Colony,
Sector-10, Ambala City-134003

...Appellant

Versus

Public Information Officer,
O/o Punjab Small Industries & Export Corporation Ltd.,
Udyog Bhawan, Sector -17, Chandigarh.

First Appellate Authority
O/o Punjab Small Industries & Export Corporation Ltd.,
Udyog Bhawan, Sector-17, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT None for the Appellant
Smt. Rajdeep Kaur, Manager(HR), (7837293063) on behalf of the Respondents.

ORDER

This order may be read with reference to the previous order dated 24-08-2021.

2. The Respondent-PIO orally reiterates that whatever information available in their office has already been provided to the Appellant. She further states that pursuant to previous order of Commission, proper affidavit has been supplied to the appellant on his whatsapp and original affidavit is sent to Commission.
3. The appellant is absent.
4. Perusal of the case file reveals that original affidavit has already been sent to appellant with the previous order of the Commission. It is assumed that he might have received the original affidavit and satisfied with the same.
5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of order be sent to the parties.

Chandigarh
09-09-2021

Sd/--
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 2500 OF 2021

Sh. Tejinder Singh, Advocate (9041004313)
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur.

...Appellant

Versus

Public Information Officer,
O/o Municipal Council,
Phagwara.

First Appellate Authority
O/o Municipal Council,
Phagwara.

...Respondents

HEARD THROUGH VC/CISCO WEBEX/TELEHPONE

Present None for the Appellant
Sh. Pardeep Sehgal (9814022455) for the respondents.

ORDER

The RTI application is dated 24.12-2020 seeking certain information from the PIO as enumerated in his RTI. He filed First appeal with the First appellate Authority (hereinafter called as FAA) on 03.02.2021. He filed Second appeal in Commission on 25.05.2021 under Section 19 of the Right to Information Act 2005 (hereinafter called the RTI Act).

2. The respondent states that available information has already been supplied **by hand** to the appellant on 06.09.2021 and he has acknowledged receipt of information to his satisfaction.

3. The appellant is absent today. However, he is contacted over telephone, who, in turn, acknowledges the receipt of demanded information in the instant case. He further expresses his satisfaction to the supplied information and requests the Commission to close his case.

4. In the light of above, no more cause of action is left and hence, **the case is ordered to be disposed of and closed.** Copies of order be sent to the parties.

Chandigarh
09-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3294 OF 2020

Shri Sukhwinder Singh (9465650001)
Secretary,
Parents Association(Regd),
Machhiwara (Ludhiana).
...Appellant

Versus

Public Information Officer,
O/o The Secretary,
Education Department Punjab,
PSEB Building, Phase 8,
SAS Nagar (Mohali).

First Appellate Authority
O/o The Secretary,
Education Department Punjab,
PSEB Building, Phase 8,
SAS Nagar (Mohali).

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on of both the parties.

ORDER:

This order may be read with reference to the previous order dated 08.07.2021.

2. The appellant is absent today without any intimation to the Commission.
3. The Respondent-PIO is absent.
4. Examination of case file reveals that the appellant has not furnished any deficiency in the supplied information neither to the respondent-PIO nor to the Commission. It is assumed that he is satisfied with the supplied information by the respondents.
5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of order be sent to parties.

Chandigarh
09-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3296 OF 2020

Shri Sukhwinder Singh (9465650001)
Secretary,
Parents Association (Regd),
Machhiwara (Ludhiana).

...Appellant

Versus

Public Information Officer,
O/o The Secretary,
PSEB Building, Phase 8,
SAS Nagar (Mohali).

First Appellate Authority
O/o The Secretary,
PSEB Building, Phase 8,
SAS Nagar (Mohali).

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on of both the parties.

ORDER:

This order may be read with reference to the previous order dated 08.07.2021.

2. The appellant is absent today without any intimation to the Commission.
3. The Respondent-PIO is absent.
4. Examination of case file reveals that the appellant has not furnished any deficiency in the supplied information neither to the respondent-PIO nor to the Commission. It is assumed that he is satisfied with the supplied information by the respondents.
5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of order be sent to parties.

Chandigarh
09-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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APPEAL CASE No. 3409 OF 2020

Shri Jaspal Singh S/o (9979124213)
Shri Surjit Singh,
#157, Street No.8-A,
Manjit Nagar, Bhadson Road,
PATIALA.

...Appellant

Versus

Public Information Officer,
O/o The General Manager,
PRTC, Head Office,
Patiala.

First Appellate Authority,
O/o PRTC Head Office,
Patiala.

...Respondent

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None for the Appellant.
Shri Amarbir Singh Tiwana, Traffic Manager-PIO, for the Respondents.

ORDER:

The RTI is dated 08.06.2020 whereof he has requested the PIO O/o PRTC, HO, Patiala to supply the information as enumerated in his RTI application from Sr.No.1 to 15. He filed his 1st appeal to the First Appellate Authority on 14.07.20 and he filed 2nd appeal in the Commission on 06.11.2020.

2. The case is taken up for hearing today.
3. The respondent-PIO reiterates that the appellant has not deposited the documentation fee to the public authority till date.
4. The appellant is absent today. However he has sent an email stating that the respondent-PIO has not supplied the information to him. He has further requested for his exemption for today's hearing due to sudden demise of one of his close relations.

Contd..2/p....

PUNJAB STATE INFORMATION COMMISSION

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-02-

APPEAL CASE No. 3409 OF 2020

5. On perusal of the case file, it reveals that the Commission has given many opportunities to the appellant to deposit the documentation fee to the respondents and get the information demanded by him. It has further been observed that the appellant has not deposited the documentation fee to the respondents till date. This attitude of the appellant shows that he is not interested in getting the information but to waste the precious time of the Commission and the respondents.

6. In the light of the above, no further cause of action is left and hence, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

**Chandigarh
09-09-2021**

**(Hem Inder Singh)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE No. 3410 OF 2020

Shri Jaspal Singh S/o (9979124213)
Shri Surjit Singh,
#157, Street No.8-A,
Manjit Nagar, Bhadson Road,
PATIALA.

...Appellant

Versus

Public Information Officer,
O/o The General Manager,
PRTC Depot,
CHANDIGARH.

First Appellate Authority,
O/o PRTC Head Office,
PATIALA.

...Respondent

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Jaspal Singh, the Appellant.
Smt. Meena Bansal, Superintendent, PRTC Depot, Chandigarh for the Respondents.

ORDER:

The RTI is dated 08.06.2020 whereof he has requested the PIO O/o PRTC, HO, Patiala to supply the information as enumerated in his RTI application from Sr.No.1 to 6. He filed his 1st appeal to the First Appellate Authority on 14.07.20 and he filed 2nd appeal in the Commission on 06.11.2020.

2. The case is taken up for hearing today.
3. The respondent-PIO reiterates that the appellant has not deposited the documentation fee to the public authority till date.
4. The appellant is absent today. However he has sent an email stating that the respondent-PIO has not supplied the information to him. He has further requested for his exemption for today's hearing due to sudden demise of one of his close relations.

PUNJAB STATE INFORMATION COMMISSION

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-02-

APPEAL CASE No. 3410 OF 2020

5. On perusal of the case file, it reveals that the Commission has given many opportunities to the appellant to deposit the documentation fee to the respondents and get the information demanded by him. It has further been observed that the appellant has not deposited the documentation fee to the respondents till date. This attitude of the appellant shows that he is not interested in getting the information but to waste the precious time of the Commission and the respondents.

6. In the light of the above, no further cause of action is left and hence, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
09-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE No. 3411 OF 2020

Shri Jaspal Singh S/o (9979124213)
Shri Surjit Singh,
#157, Street No.8-A,
Manjit Nagar, Bhadson Road,
PATIALA.

...Appellant

Versus

Public Information Officer,
O/o The General Manager,
PRTC, Head Office,
Patiala.

First Appellate Authority,
O/o PRTC Head Office,
Patiala.

...Respondent

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None for the Appellant.
Shri Amarbir Singh Tiwana, Traffic Manager-PIO, for the Respondents.

ORDER:

The RTI is dated 08.06.2020 whereof he has requested the PIO O/o PRTC, HO, Patiala to supply the information as enumerated in his RTI application from Sr.No.1 to 6. He filed his 1st appeal to the First Appellate Authority on 14.07.20 and he filed 2nd appeal in the Commission on 06.11.2020.

2. The case is taken up for hearing today.
3. The respondent-PIO reiterates that the appellant has not deposited the documentation fee to the public authority till date.
4. The appellant is absent today. However he has sent an email stating that the respondent-PIO has not supplied the information to him. He has further requested for his exemption for today's hearing due to sudden demise of one of his close relations.

Contd..2/p....

PUNJAB STATE INFORMATION COMMISSION

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-02-

APPEAL CASE No. 3411 OF 2020

5. On perusal of the case file, it reveals that the Commission has given many opportunities to the appellant to deposit the documentation fee to the respondents and get the information demanded by him. It has further been observed that the appellant has not deposited the documentation fee to the respondents till date. This attitude of the appellant shows that he is not interested in getting the information but to waste the precious time of the Commission and the respondents.

6. In the light of the above, no further cause of action is left and hence, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

**Chandigarh
09-09-2021**

**Sd/-
(Hem Inder Singh)
State Information Commissioner**