

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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(Regd. Post) **Sh. Jasbir Singh (9888296107)**
Guru Nanak Nagar,
Village Bolapur, Jhabewal,
Post Office, Ramgarh,
District Ludhiana-141123

Complainant

Versus

(Regd. Post) **Public Information Officer**
O/o State Transport Commissioner Punjab,
Sector-17, Chandigarh

Remanded Back

(Regd. Post) **First Appellate Authority**
O/o State Transport Commissioner Punjab,
Sector-17, Chandigarh

Encl. RTI application

Respondent

Complaint Case No.: 664 of 2021
Heard through CISCO WEBEX

Present: (i) Sh. Jasbir Singh, appellant
(ii) For the respondent: Ms. Kulwinder Kaur (PIO) (9779624022)

Order

1. The RTI application is dated 13.04.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.05.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 10.11.2021 through CISCO Webex application.
3. In today's hearing both the parties are present. Respondent, Ms. Kulwinder Kaur states that requisite information had already been sent to the complainant twice (on 25.05.2021 through an email and through registered post on 28.05.2021).
4. Complainant is present for today's hearing.
5. 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).

Complaint Case No.: 664 of 2021
Heard through CISCO WEBEX

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.

6. 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.
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 Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.
8. 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: 10.11.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Manjit Singh (8427498620)

s/o Sh. Gurcharan Singh,
Vill. Manemajra, Tehsil Chamkaur Sahib,
Distt. Ropar

Appellant

Versus

Public Information Officer

O/o Principal Secy., Transport
Deptt., Pb, Chandigarh

First Appellate Authority

O/o Principal Secy., Transport
Deptt., Pb, Chandigarh

Respondent

Appeal Case No.: 2545 of 2021
Heard through CISCO WEBEX

Present: (i) Sh. Manjit Singh, appellant

(ii) For the respondent: Ms. Kulwinder Kaur (PIO)

Order

1. The RTI application is dated 05.03.2021 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 06.04.2021 and second appeal was filed in the Commission on 31.05.2021 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 10.11.2021 i.e. today.
2. In today's hearing both the parties are present. Appellant states that he is satisfied with the supplied information and requests to close this case.
3. In view of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed.**

Dated: 10.11.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Jasbir Singh (9888296107)

Guru Nanak Nagar,
Vill. Bolapur, Jhabewal,
PO Ramgarh, Distt. Ludhiana 141123.

Appellant

Versus

Public Information Officer

O/o Secy. Regional Transport Authority,
Sangrur

First Appellate Authority

O/o Secy. Regional Transport Authority,
Sangrur

Respondent

Appeal Case No.: 1441 of 2021

Heard through CISCO WEBEX

Present: (i) Sh. Jasbir Singh, the appellant.
(ii) For the respondent: Sh. Karanbir Singh Cheena (PIO).

ORDER

1. This order may be read with the reference with previous order dated 10.08.2021 vide which respondent PIO was directed to supply the requisite information within fifteen days. Matter was adjourned for further hearing on 10.11.2021 i.e. today.
2. In today's hearing, both the parties are present and respondent, Sh. Karanbir Singh Cheena states that requisite information has already been provided to the appellant.
3. After discussing with the appellant and he has no objection to close this case with the directions to send requisite information again to him as earlier sent information is not received. Accordingly, respondent PIO is directed to send the requisite information once again through registered post under intimation to the Commission.
4. In view of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed.**

Dated: 10.11.2021

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

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Sh. Jasbir Singh (9888296107)

Guru Nanak Nagar,

Vill. Bolapur, Jhabewal,

PO Ramgarh, Distt. Ludhiana 141123.

Appellant

Versus

Public Information Officer

O/o Principal Secy., Regional Transport Authority

Pb, Chandigarh

First Appellate Authority

O/o Principal Secy., Transport Authority

Pb, Chandigarh

Respondent

Appeal Case No.: 1444 of 2021

Heard through CISCO WEBEX

Present:

(i) Sh. Jasbir Singh, the appellant.

(ii) For the respondent: Sh. Gurbax Singh (APIO).

ORDER

1. This order may be read with the reference with previous order dated 10.08.2021 vide which respondent PIO was directed to supply the demanded information once again to the appellant via an email today itself and appellant is advised to intimate the undersigned Bench today regarding he received the demanded information or not. Matter was adjourned for further hearing on 10.11.2021 i.e. today.
2. In today's hearing, both the parties are present and respondent, Sh. Gurbax Singh states that requisite information has already been provided to the appellant via an email.
3. After discussing with the appellant and he has no objection to close this case with the directions to send requisite information again to him as earlier sent information is not received. Accordingly, respondent PIO is directed to send the requisite information once again within one week from today itself under intimation to the Commission.
4. In view of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed.**

Dated: 10.11.2021

**(Anumit Singh Sodhi)
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Sh. Vijay Kumar Zileadar (Retd) (9814568617)

Vill. Lamini,
PO Tehsil & Distt. Pathankot 145001.

Complainant

Versus

Public Information Officer

O/o Principal,
Industrial Training Institute, Pathankot

Respondent

Complaint Case No.: 302 of 2021

Heard through CISCO WEBEX

Present: None present.

Order

1. The order may be read with order dated 5.8.2021 vide which complainant was advised to go through the supplied information and point out deficiency, if any, to the department under intimation to the Commission. The case was adjourned for further hearing on 10.11.2021 i.e. today.
2. In today's hearing, respondent, Sh. Harish Mohan (Principal) intimated the undersigned Bench telephonically that he is unable to attend today's hearing. He adds that he has sent an email dated 10.11.2021 in this regard, which is received and taken on record.
3. Complainant is absent despite being aware about the date of hearing. It is observed that complainant has not pointed out deficiency in the supplied information till date as per the orders of the Commission dated 05.08.2021, which shows his casual attitude towards the Orders of the Commission as well as to the RTI Act.
4. 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).
5. I am of the considered view that, despite of being a complaint case, respondent PIO furnished the demanded information and complainant has not availed the opportunity to represent this case, which means he has nothing to say in this regard. Therefore, no further cause of action is required in this case. Hence, this instant Complaint Case is **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 10.11.2021

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

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Sh. Lalit Mohan Aggarwal(88066777423/8806777423)

Flat No.1704, Aspire Tower,
7, Amanora Park Town,
Hadapsar,
Pune 411028

Appellant

Versus

Public Information Officer

O/o Deptt. Of Transport,
Distt. Transport Officer, Gurdaspur

First Appellate Authority

O/o Secy., Regional Transport Authority
Gurdaspur

Respondent

Appeal Case No.: 3918 of 2021
Heard through CISCO WEBEX

Present: (i) Sh. Lalit Mohan, appellant
(ii) For the respondent: Sh. Ravinder Singh (SO-cum-PIO) (9872508332)

Order

1. The RTI application is dated 12.05.2021 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 10.07.2021 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 10.11.2021 i.e. today.
2. In today's hearing, both the parties are present. Appellant, Sh. Lalit Mohan states that he is satisfied with the supplied information through by post and an email. He requests to close this case. An email dated 09.11.2021 is also received in this regard by the undersigned Bench and taken on record.
3. In view of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed.**

Dated: 10.11.2021

(Anumit Singh Sodhi)
State Information Commissioner
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Sh. Ram Vinod Sharma,
170, Housing Board,
Behind Hanuman Mandir,
Jawahar Nager,
Sri Ganganagar,
Rajasthan 335001.

Complainant

Versus

Public Information Officer
O/o Maharaja Ranjeet Singh
Technical University,
Bathinda

Respondent

Complaint Case No.: 1115 of 2021
Through CISCO WEBEX

Present: (i) Sh. Ram Vinod Sharma & Sh. Sunny Kumar, Advocate on behalf of the complainant.
(ii) For the respondent: Sh. Arshinder Singh (SA) (9417940065)

Order:

1. This order may be read with order dated 19.10.2021 wherein respondent PIO was directed to supply the proper reply/information in connection with point No.5 within one week with a copy of the same to the Commission along with directions to represent the case on the next date of hearing. The case was adjourned to 10.11.2021 i.e. today.
2. In today's hearing, the respondent PIO states that all the information has been provided to the complainant vide their letter No. RTI/13/94/2717 dated 25.10.2021 and a copy of the same is also sent to the Commission (which is received by the Commission vide diary number 24273 dated 27.10.2021) but complainant expresses his dissatisfaction.
3. After discussing with the respondent, Sh. Arshinder Singh clarified that whatever information was available in the official record has already been sent to the complainant. Nothing is left to be supplied. Respondent PIO is directed to supply an affidavit in original to the complainant in connection with point no. 5 of the RTI application with a copy to the Commission within ten days.
4. With the above directions, this instant complaint case is **disposed of & closed**. Copies of orders be sent to the parties.

Dated: 10.11.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Inder Kumar (6283672347)
S/o Sh. Krishan Lal
R/o Karamgarh, Tehsil Malout,
District Sri Muktsar Sahib

Appellant

Versus

Public Information Officer
O/o BDPO, Program Officer
(MNREGA), Malout

First Appellate Authority
O/o DC, Sri Muktsar Sahib

Respondent

Appeal Case No.: 324 of 2021
Through CISCO WEBEX

Present: (i) Nobody present on behalf of the appellant.
(ii) For the respondent: Ms. Anu (Steno) (8283010055)

ORDER

1. This order may be read with reference to the previous order dated 30.9.2021 vide which respondent, Ms. Anu was directed to supply the information relate with point no. 2 to the appellant within two days. Appellant was advised to point out deficiency, if any, to the respondent PIO with a copy to the Commission. Matter was adjourned for further hearing on 10.11.2021 i.e. today.
2. In today's hearing, respondent, Ms Anu, Steno states that pending information (point no. 2) is sent to the appellant on 2.11.2021 but till date, not received any response from the appellant.
3. Appellant is absent despite being aware about the date of hearing. It is presumed that he is satisfied with the information in connection to the point no. 2 and he has nothing to say in this regard as no correspondence is received from the appellant by the Commission.
4. In view of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed.**

Dated: 10.11.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab