

**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](mailto:psic22@punjabmail.gov.in)**

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**Sh. Manjit Singh (8427498620)**

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

Complainant

Versus

**Public Information Officer**

O/o General Manager,  
Punjab Roadways, Batala Depot.

**Remanded Back**

**(Regd. Post) First Appellate Authority**  
O/o General Manager,  
Punjab Roadways, Batala Depot.

Encl. RTI application

Respondent

**Complaint Case No.: 686 of 2021**  
**Heard Through CISCO WEBEX**

Present: (i) Sh. Manjit Singh – Complainant  
(ii) Nobody on behalf of the respondent.

**Order:**

1. The RTI application is dated 10.02.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 31.05.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 11.11.2021 through CISCO Webex application.
3. In today's hearing, complainant is present and states that requisite information is still pending from the respondent PIO.
4. Respondent PIO is not present for today's hearing but a reply vide letter no. 974 dated 15.07.2021 stating that requisite information was sent to the complainant vide letter no. 391 dated 18.03.2021. In that letter he also requests to close this case. This letter is taken on record.
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.: 686 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: 11.11.2021**

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

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**Sh. Naresh Kumar Mehta (9914787532)**

S/o Sh. Piara Lal,  
Shop No. 4, Fire Brigade Market,  
I/s Lohgarh Chowk, Amritsar

Versus

Appellant

**Public Information Officer**

O/o Improvement Trust  
Amritsar

**(Regd. Post)**

**The Nodal Officer (By Name)**

O/o Improvement Trust  
Amritsar

**Sh. Barjinder Mohan (PIO-Cum-Trust Engineer) (9646700784)**

O/o Improvement Trust  
Amritsar

**First Appellate Authority**

O/o Improvement Trust  
Amritsar

Respondent

**Appeal Case No.: 397 of 2021**  
**Heard through CISCO WEBEX**

**Present:**

None present.

**ORDER**

1. This order may be read with the previous order of the Commission dated 05.08.2021 vide which an adjournment was given on the request of the respondent with the directions to supply the information within fifteen days. Matter was adjourned for further hearing on 11.11.2021 i.e. today.
2. In today's hearing, both the parties are absent despite being aware about the date of hearing.
3. I am of the considered view that appellant has not sent any communication regarding information is received or not. It is presumed that he does not want to pursue this case further.
4. Respondent PIO-cum-Trust Engineer, Improvement Trust, Amritsar was assigned duty to represent this case today i.e. 11.11.2021, by the Nodal Officer(RTI)-cum-Town Planner, Improvement Trust, Amritsar vide letter no. 4177 dated 23.08.2021. This letter is received in the Commission vide diary no. 19387 dated 27.08.2021 and taken on record. Respondent PIO expresses his irresponsible behavior towards his duties as well as to the Orders of the Commission. The Nodal Officer is advised must attend the hearings fixed by the Commission by the concerned respondent PIOs in future. A copy of this order be sent to him by name through registered post for his ready reference.
5. 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: 11.11.2021**

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

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**Sh. Naresh Kumar Mehta (9914787532)**

S/o Sh. Piara Lal,  
Shop No. 4, Fire Brigade Market,  
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Versus

Appellant

**Public Information Officer**

O/o Improvement Trust  
Amritsar

**(Regd. Post)**

**The Nodal Officer (By Name)**

O/o Improvement Trust  
Amritsar

**Sh. Barjinder Mohan (PIO-Cum-Trust Engineer) (9646700784)**

O/o Improvement Trust  
Amritsar

**First Appellate Authority**

O/o Improvement Trust  
Amritsar

Respondent

**Appeal Case No.: 399 of 2021**  
**Heard through CISCO WEBEX**

**Present:** None present.

**ORDER**

1. This order may be read with the previous order of the Commission dated 05.08.2021 vide which an adjournment was given on the request of the respondent with the directions to supply the information within fifteen days. Matter was adjourned for further hearing on 11.11.2021 i.e. today.
2. In today's hearing, both the parties are absent despite being aware about the date of hearing.
3. I am of the considered view that appellant has not sent any communication regarding information is received or not. It is presumed that he does not want to pursue this case further.
4. Respondent PIO-cum-Trust Engineer and PIO-cum-Accountant, Improvement Trust, Amritsar were assigned duty to represent this case today i.e. 11.11.2021, by the Nodal Officer(RTI)-cum-Town Planner, Improvement Trust, Amritsar vide letter no. 4181 dated 23.08.2021. This letter is received in the Commission vide diary no. 19386 dated 27.08.2021 and taken on record. Respondent PIO expresses his irresponsible behavior towards his duties as well as to the Orders of the Commission. The Nodal Officer is advised must attend the hearings fixed by the Commission by the concerned respondent PIOs in future. A copy of this order be sent to him by name through registered post for his ready reference.
5. 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: 11.11.2021**

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

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**Sh. Dilbag Chand, NaibSubedar (Retd)**

(98144-14473 & 94632-62669)

s/o Sh. Ramjit Das, Vill. Hayatpur,

PO Haibowal, Tehsil Samrala,

District Ludhiana

**Appellant**

**Vs.**

**Public Information Officer,**

O/o DDPO Ludhiana

**Public Information Officer**

O/o Rural Dev. & Panchayat Office, VikasBhawan,

Sector 62 Mohali (Branch RDI-1)

**Public Information Officer**

O/o Rural Dev. & Panchayat Office, Vikas Bhawan,

Sector 62 Mohali (Branch RDI-4)

**Public Information Officer**

O/o Rural Dev. & Panchayat Office, VikasBhawan,

Sector-62, Malhi (Branch RDI-2)

**Public Information officer**

O/o Secretary, SSSB, Punjab, Forest Complex,

Sector-68, SAS Nagar, Mohali

**First Appellate Authority**

O/o DDPO, Ludhiana

**Respondent**

**Appeal Case No.: 2263 of 2019**

**Through CISCO WEBEX**

Present : (i) Nobody on behalf of the appellant  
(ii) For the respondent: Ms. Maninder Pal Kaur (SA) (9855977460)

Order:

1. This order may be read with the reference of previous order dated 02.09.2021 vide which respondent PIO was directed to furnish pending information in connection with point no. 2 and 3 to the appellant and matter was adjourned for further hearing on 11.11.2021 i.e. today.
2. In today's hearing, respondent, Ms. Maninder Pal Kaur is present.
3. Appellant is not present but an email dated 07.11.2021 is received by the undersigned bench stating that information has been received and requests to close this case. This email is taken on record.
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: 11.11.2021**

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